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HISTORIC KINGSTON



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KINGSTON HISTORICAL SOCIETY
Kingston, Ontario.

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HISTORIC KINGSTON

No. 5

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Edited by George F. G. Stanley

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The Macaulay Family of Kingston

— BY —

Margaret Angus

The Macaulay Family of Kingston is usually identified by its most prominent member, the Honourable John Macaulay, who was born in Kingston, October 17, 1792 and died in Kingston, August 10, 1857. His obituary listed him as: "Member of Legislative Council of Canada, formerly Inspector General of Upper Canada, etc., etc., and one of the oldest residents of Kingston". The Macaulay house is at 203 King Street East, between Earl and Gore, in the middle of the block. There is an iron arrow-head fence with huge stone gateposts along the front walk and the main entrance is at the north side of the house — now an apartment house.

The Macaulay family was one of the principal families of early Kingston, a United Empire Loyalist family, a merchant family with extensive land holdings, a family who made important contributions to the religious and political life of Canada. The story of any family, and certainly of this family, is also the story of the times in which they lived and of the people who made those times. The story of the Macaulays involves a network of family relationships which includes many prominent Kingston families and many outside of Kingston. The Kingston names familiar to many are: the Herchmers, the Marklands, the Kirbys, the Andersons, the Macphersons, Glasgows, Geddes and Kirkpatrick's.

The Macaulay family story is not just family tradition. This story comes from the family prayer book where births, marriages and deaths were entered, plus a record of vaccinations and contagious diseases. It comes also from gravestones, from parish registers, lists of the U.E.L., Loyalist Claims, Haldimand Papers, Court records, newspapers and, most important of all from the Macaulay papers in the Ontario Archives.

The Macaulays were originally from Scotland but went to Ireland during the disturbances in Scotland. Robert Macaulay, the founder of the Kingston branch, was of the second generation born in Ireland. He was born in 1744 at Omagh, Ireland, and came to America in 1764 when he was twenty. A few years later two of his brothers joined him and a widowed sister came out some years later.

By 1774 Robert Macaulay was at Willsbrough, on the west shore of Lake Champlain, engaged in the lumber trade. The account of his losses, given in his claim for compensation for losses in the American Revolution, states that he had a house 40 x 20 feet, a barn 30 x 20, two pairs oxen, four cows, three heifers, two calves, hay, wheat, peas, potatoes and corn, plus his lumbering business which included eight thousand staves. That was really quite an establishment.

When General Arnold's army retreated from Canada to Lake Champlain, Robert Macaulay was taken prisoner, presumably in the late sum-

mer of 1776. He was held for some time at Crown Point, on the western side of the lake; he was later released and returned to his home. After that he gave information to the British regarding the garrison at Ticonderoga and was discovered, captured and taken as a prisoner to the Albany gaol. After six months he was released on bail and escaped to Canada. This probably was some time in 1778. Two years later, in 1780, he was established as a trader on Carleton Island, then an important military base.

The Haldimand Papers list "sundry goods in possession of Robert Macauley (sic), Crleton Island, 20th April 1780:

300 Gallons of Rum	
4 Quarter Casks port wine	
2 Bales Blankets	
1 Ditto Strouds	
1 Trunk Irish linen	
1 Ball course Cloth	FOR
2 Cwt. Tea	INDIAN
1 Bale Sundry Articles	TRADE
1 Cask Small Shott assorted	
1 Ditto Ball	
2 Barrels gunpowder	
1 Case containing 6 guns	

Robert Macaulay was also a Captain of the Associated Loyalists on Carleton Island according to Land Book records and the United Empire Loyalist list. As such he was granted 1200 acres of land.

There is some reason to believe that after peace came he went back to see what he could recover of his property, possibly in 1786 or 1787. It is family tradition that Robert Macaulay met Ann Kirby when he was over forty and she was sixteen; that would have been in 1786. But more of that later.

Sometime after Robert Macaulay moved to Kingston — or Cataraqui, as it was called — in the 1780's he formed a partnership with Thomas Markland to carry on a forwarding business. They had a storehouse and wharf at the foot of what is now Princess Street and they owned various lands in common. In April 1788, according to a document in the Macaulay Papers in the Ontario Archives, Macaulay and Markland contracted with Archibald Thomson to build a house for Sir John Johnson. It was to be finished before the last day of October and the specifications are carefully listed. The firm of Markland and Macaulay were also the collecting agents or subscriptions to build a church, St. Georges. The firm was dissolved in 1791 or 1792.

A case about Markland and Macaulay came up in the Court of Common Pleas of this district in 1790. This was the court for the recovery of

debts of over 10 pounds. Macaulay and Markland were suing James Connor for the recovery of £43.18. Connor said the charges were wrong and anyway Robert Macaulay owed him £50 for medical attendance. Markland replied the firm was not responsible for personal debts; however, Robert Macaulay had a private account against Connor for a case of medicine. The court asked time to deliberate the merits of the case and ordered the parties to appear at the next sitting, four months later.

At that time the firm said they had decided to include the accounts for and against Robert Macaulay in the case. The Court admitted the account and the case proceeded a few days later. Whereupon Markland produced Robert Macaulay's account against the defendant James Connor, for a box of medicine, charged £60. Connor said the medicine was not worth 60 shillings and that no specific price was agreed on by the parties when the said chest of medicine was delivered, which was not denied by Macaulay. Then Connor produced his account against Macaulay for medicines and attendance in curing a broken leg, amounting to £50.

Macaulay objected and said the charge was exorbitant for the medicines and attendance Connor had given him. Various witnesses were called to uphold the reasonableness of the charge. Joseph Forsyth had heard in Montreal of a man paying £50 for curing a broken leg. The Court requested the opinion of two professional men and called James Latham and James Gill, surgeons. Latham said he would have charged Macaulay £30. Gill said he had treated only soldiers so had no precedent but he would have charged £10 for each fracture, not including medicine. The Court awarded the plaintiff £13 6s 6d and the defendant had to pay the costs. That was in 1790.

Early in 1791 Robert Macaulay rode back to Crown Point, New York. There on February 13th he married Ann Kirby in her father's house. Ann, the eldest daughter of John and Ann Kirby was born in Knaresborough, Yorkshire and came to America with her parents. She rode to Canada on a pillion behind her new husband, over the ice to Kingston.

On August 17, 1783 Major Ross wrote to Haldimand that the three houses then being transported from Carleton Island to Kingston were "all that were worth removing from outside the fort". We may presume that one of those houses was the house Robert Macaulay rafted to Kingston and set up on one of his lots. The old house, altered and still in fair condition stood at the south west corner of Princess and Ontario Streets until it was torn down in 1928 to make way for a gas station. In that house three Macaulay children were born, John, William, and Robert junior. Robert Macaulay senior died there September first 1800, leaving his wife, Ann, then thirty, and three sons: John, eight; William, six; and Robert, four. The executors of his will were Ann Macaulay, Richard Cartwright and John Kirby, junior. Ann and her brother, John Kirby, carried on Robert's business.

John Kirby, junior, had been in Kingston since before 1789. His name appears on a list of persons settling at Kingston between 1784 and 1789.

He may have come to Kingston with Robert Macaulay after 1786. The Kirby family was closely linked with the Macaulay family; for besides Robert Macaulay's marriage to Ann Kirby there was a second union of the families. Robert Macaulay's young sister Mary, whose husband a Mr. Nixon had died in London, came to Montreal with her son, George Nixon. He was sent to his uncles in New York and Mary Macaulay Nixon came to Kingston. She became John Kirby's wife and doubly sister-in-law of Ann Kirby Macaulay. From family letters it would seem that Mary Kirby, who died of cholera in 1832 aged 14 years, was the daughter of John Kirby and Mary Macaulay Nixon Kirby. Mrs. Kirby evidently died when her daughter was very young for John Kirby married in 1822 Cecelia Bethune, widow of W. B. Wilkinson.

Two other members of the Kirby family came to Kingston probably to stay with Ann Kirby Macaulay. Elizabeth Kirby, nine years younger than Ann, was in Kingston in the 1790's and about 1799 was married to Lawrence Herchmer, merchant, of Kingston. That link with the Herchmer family gave the Macaulay boys seven first cousins and a host of other connections. Then there was Maria Kirby, thirteen years younger than Ann Macaulay, who came to Kingston to be with her widowed sister. She never married and died in Kingston in 1837, age 54.

There is no doubt that, although Ann Macaulay was guided by her brother John Kirby, she kept a definite voice in the business and in the raising of her sons. The Macaulay letters in the Archives leave no doubt of that.

John and William Macaulay went to school to a young man who had been brought from England in 1799 to teach the sons of the Honourable Richard Cartwright. That man was John Strachan, later Bishop of Toronto. When Strachan was ordained and opened an academy in Cornwall the Macaulay boys went there to school, as did many other boys who later became prominent men in Canada.

When John Macaulay was about sixteen he was sent to Montreal to study under Peter McGill. McGill, advising John to learn French, sent him to Terrebonne to study with the Reverend Mr. Varin. A few years later, 1809, John was back in Kingston where arrangements had been made for him to be articled to Mr. Allan McLean, Lawyer. That was an important step in John Macaulay's career, for Allan McLean, said to be the first lawyer in Kingston, was a man already engaged in an active political life. He was a member of the Legislative Assembly and became Speaker of the House of Assembly. We may suppose that Allan McLean started the young Macaulay on his long career of government service.

Meanwhile John Macaulay was becoming a young man of some importance in Kingston. He was postmaster of Kingston. He became agent for the Bank of Upper Canada. As a Justice of the Peace he took the depositions in the famous burying ground dispute which upset Kingston in

the middle 1820's. He became a trustee of the Midland District Grammar School and served a term as Chairman of the Court of Quarter Sessions.

For seven years John Macaulay owned and, part of that time, edited the *Kingston Chronicle*. A life-long friend of his said he operated the newspaper at the instance of Sir Peregrine Maitland." The *Kingston Chronicle*, outspoken as papers were in those days, was accused of libel by the Legislative Assembly in 1822. The *Chronicle's* report and comments on a discussion in the House of Assembly regarding Bidwell's ouster as member for Lennox and Addington was called "a false, scandalous and malicious libel". The charge was dropped a few days later after the author of the article had acknowledged "the impropriety of conduct". From a letter in the Macaulay papers it would seem that the author in question was Thomas Dalton, then presumably editing the *Chronicle* for John Macaulay or writing for the *Chronicle*.

In 1822 John Macaulay was appointed a Commissioner of Inland Navigation to look into canal routes. It is said his report was of service to Colonel By in planning the Rideau Canal. Macaulay served also as secretary to the Board of Arbitrators for the division of revenue between Upper and Lower Canada. He also served on a commission which made a tour of penitentiaries in the United States to report on their penal system.

In 1828 John Macaulay was appointed Deputy Postmaster and two years later became cashier of the Bank of Upper Canada.

What of the rest of the Macaulay family during these years? William Macaulay had gone to The Queen's College, Oxford, and was ordained there but received no degree. In 1819 he was in Hamilton township; a year later he was teaching school in the Newcastle district for £100 a year. It may have been this experience that prompted him to write some years later that he was not interested in a professorship "as it leads to nothing".

An extract from the Macaulay letters gives an interesting characterization of the Reverend William Macaulay. John wrote, "He has some great project on hand which he will, of course, as usual, abandon when found impracticable". In 1823 he became the rector at Picton and served there for forty seven years, covering a territory that extended at one time north to Peterborough. He married twice; first, Ann Catherine Geddes and second, Charlotte, whose daughter Ann Macaulay married James S. Kirkpatrick. His parishioners remembered him with deep affection.

Of the younger brother, Robert junior, very little appears in the family papers. He became a barrister. The Reverend William wrote to his mother in 1819, "I regret that Robert's conduct is such an affliction for the family". Robert's death is recorded in the prayer book, "Died at Kingston on Friday, 7th February 1823".

Meanwhile Mrs. Ann Kirby Macaulay kept house for her son John in the old home at the corner of Princess and Ontario Streets. In 1833 there was a change in this household, but the story really begins a number

of years before that. Four young men, David and John Macpherson, John Hamilton and John Macaulay, were talking about girls, as young men often do. The Macpherson brothers were talking about their sisters back in Scotland, especially Eliza. As a result of that conversation David Macpherson wrote to Eliza that there was a number of young men in the colony who could be considered gentlemen, who would be glad of a respectable Scottish wife. He suggested that Eliza might come to Canada to visit her brothers and meet the young men. Eliza by this time was married to James Mackenzie in Scotland but her sister Frances came out by the first packet in the spring and was married to John Hamilton at Queenston in April 1829.

That marriage was so successful that John Macaulay suggested another sister might come to Canada. The engagement was evidently arranged by correspondence, and letters travelled slowly in those days. In September 1833 John Macaulay was being congratulated on his engagement. In October 1833 John Macaulay met Helen Macpherson as she stepped off the boat in Montreal and they were married at 8 a.m. The ceremony seems to have been repeated before the Reverend William Macaulay at Picton later that month.

Early the next spring John's mother, an independent woman, decided she should have a house of her own. John's letters to his mother, visiting her son in Picton, and to his wife, visiting her brother in Montreal, go into great detail about the plans. They discussed whether Mrs. Ann Macaulay should build next to the old house on Ontario Street (which John and Helen were enlarging) or next to the Archdeacon Stuart cottage on Church Street (now King). There was already a house on the latter place, an old wooden house built before 1800 and rented to a Mrs. Sterling who kept boarders. It, however, was on the Earl Street side near Ontario Street. In May 1834, a stone cottage, with the main entrance at the side was being built near the Archdeacon's cottage. It was called Knaresborough Cottage, after Ann Macaulay's birthplace. That cottage is the basis of the present house at 203 King East.

In October 1834 Ann Elizabeth Mary was born to Helen and John Macaulay. The next twelve years were filled with family joys and with deep sorrow, with mounting family fortunes and with recognition of John Macaulay's increasing prominence in the political life of Canada.

John Macaulay became a Legislative Councillor of Upper Canada. He was appointed Surveyor General and wrote his mother that his office reminded him of the post office for as many people came to inquire about land as used to come to the post office about letters. This appointment in 1836 meant that John had to move to Toronto.

His mother went back to the old house, at Princess and Ontario, and from there wrote to her son, "You thought you had made this house a great deal warmer by all the alterations you have made but I find it very cold. The pitcher of water has froze (sic) on the wash stand every day and

night for some weeks past and in windy weather would blow out a candle in the dressing room. I think by cutting the roof to make those closets has made it much colder by letting in so much wind; we keep the fires going constantly". The next year little Annie Macaulay was in Kingston with her grandmother who wrote: "Annie is full of tricks . . . hiding my spectacles and spilling my snuff and then hiding my punch box, as she calls it, under the carpets".

John Macaulay, still concerned with family housing matters, wrote to his mother: "Do not make any but a conditional lease of the stone cottage to Mr. Forsyth or Mr. Watkins. The place as it stands and without any of the lot occupied by Mrs. Sterling should bring at least £65, the rent a poor return for the expenditure of £1300. If I return I see no reason why one household should not answer for all. I never felt satisfied at your living by yourself". In April 1837, Mrs. Ann Macaulay leased her stone cottage for five years to John Richardson Forsyth, at £50 for the first three years and £55 for the last two.

The next year John wrote his mother that she should have a fireplace put in her bedroom while they were fixing the drawing room chimney. He also had heard of the spent musket ball that came through her drawing room at the end window.

John Macaulay was Surveyor General during the rebellion troubles. A quotation from his obituary: "When the disturbances broke out in 1837 he was among the first at Government House, having been early forewarned and the last to lay down his arms after proceeding to meet the insurgents and assist in scattering them". In 1838 John Macaulay became civil and private secretary to Lieutenant Governor Sir George Arthur. The formal notification of his appointment was so long in coming from London that he asked the advice of his mother and of his uncle, John Kirby; wondering if he should retain his position as cashier of the Bank of Upper Canada and leave the government service, "gilded slavery" as he called it. His appointment came through in time to settle his mind in favour of staying in the government. While he was in that office, he issued a very comprehensive report on the duties and responsibilities of the civil and private secretary. That report was the basis for a readjustment of the duties of the office under Union.

In 1838 John Macaulay was appointed Inspector General of Public Accounts. In that capacity he returned to Kingston in May 1841, when all public offices were ordered to Kingston, the first capital of United Canada. In the process of adjustment to union the Governor General, Lord Sydenham, proposed that the Inspector General should have a seat in the Legislative Assembly—stand for election and be prepared to speak for his office. John Macaulay, staunch Tory that he was, said he could not make speeches and do the job properly; so he resigned in 1842. He had expected, in view of his service, that he would be offered another post or be retired on a pension, as others had been. His applications met blank walls and his friends deplored the treatment given him.

In 1842 he presented his case to Sir Charles Bagot, then Governor General. Macaulay wrote a full memorandum of the meeting when he returned from Alwington House August 26th. It is preserved in the Macaulay papers in the Archives. Here are some extracts from the memorandum: "I called at Government House at eleven and waited in the room of Captain Jones for some time until Mr. Secretary Harrison had transacted business with his Excellency. On entering the room occupied by Sir Charles, His Excellency shook hands with me and motioning me to a seat said I was just the person he wished to see." John Macaulay was pleased at the cordial greeting and, for a time, quite hopeful. In the course of the conversation Sir Charles offered Macaulay the post of Sheriff of the Midland District. That would have been a decided demotion and John Macaulay declined it saying that in lieu of a higher post he hoped he might be given some compensation. The memorandum continues: "What do you mean by compensation?" asked His Excellency, "You mean the pension fund?" "I do, sir", I replied. "Oh, now I understand what you want. I shall make a memorandum," said His Excellency." The interview ended there and an answer came to John Macaulay four months later. Since he had refused the offer of the Shrievalty of the Midland District the Government was in no way obligated to grant him a pension.

John Macaulay continued his duties as a member of the Legislative Council. He took some pride in delaying a family journey while he stayed in Kingston to make certain there would be a quorum in the Council. Later, in 1845, he was appointed Collector of Customs for the port of Kingston, but resigned after about six months and confined himself to his law practise.

What of his family during those busy years? In December 1838, a second daughter, Naomi Helen McIntosh Macaulay was born in Toronto. In April 1840, triplet daughters were born to the Macaulays and died within nine days. Meanwhile John Macaulay's letters to his mother in Kingston were filled with the excitement and speculation about the site for the new capital. John decided he would need a new house and proposed buying a lot from Mrs. Murney on the waterfront beside a lot John Hamilton had just purchased. When he couldn't get a lot there he wrote his uncle, John Kirby, wondering if Molson might sell him a lot (where the filtration plant now stands). And failing that he bought six acres north of Union Street which he described as "the new street running in the rear of the Archdeacon's Great Castle". He already owned seven acres at the corner of Union and Barrie which he had bought from the Archdeacon. It was some of this land that he gave in 1843 as a site for St. James' Church. The rest he broke up into building lots calling it Arthur Place in honour of Sir George Arthur.

The housing problem in Kingston was a critical one at the time of Union. Mrs. Macaulay was still in the old house since John Forsyth occupied Knaresborough Cottage until May 1842. And she was having trouble with the drains, a recurring problem in Kingston history. She

wrote to John that they had taken up the sink to clean it, had the drain open as far as the gate and found where it turned into the street. Then she writes, "I was forbid taking up the pavement without the mayor's permission. So I sent Robert (her handyman) to get Mr. Counter. . . . I said I would not pay frontage, as they call it, . . . for my planking was as sound as it was new laid a few years ago . . . mine was made to join the main drain through the street. . . . We dug it and found it completely stopt up."

When John Macaulay and his family returned to Kingston in May 1841 they were all with his mother in the old house. She had objected to his plan of putting an addition to it so some of his furniture had to be stored with friends. When Mr. Forsyth's lease was up on Knaresborough Cottage a wing was added to it and the family moved in. Mrs. Ann Macaulay stayed on at the old house. A son, John Kirby Macaulay, was born in June 1842 and over a year later John and Helen Macaulay took their small family to Scotland to visit the Macphersons.

Another daughter, Frances Jane Macaulay, was born in May 1845 and her birth was recorded in the family prayer book. One page in that book gives us a note on family life: "December 1845, Annie had measles". A later note says: "Helen, John and Fanny had measles at the same time as Annie". The book also contains a record of vaccinations.

The next year was spent in a fruitless search for a climate or a cure for the second daughter, Helen, age seven, who had recurring bouts of fever. She died October 29th, 1846, in her eighth year. Six days later Helen Macpherson Macaulay, beloved wife of the Honourable John Macaulay, died of consumption. John's mother took over the care of Annie, twelve; Johnny, four; and baby Fanny, one and a half. In December of that year another blow fell. John Kirby, who had been like a father to his nephew and who had been a beloved brother to Mrs. Ann Macaulay, died. 1846 was a sad year for the Macaulay family.

In 1847 a special wing was added to Knaresborough Cottage as separate quarters for Mrs. Ann Macaulay. Mrs. Ann Kirby Macaulay died in Kingston in 1850, age 80. Some time later Mrs. Eliza Macpherson MacKenzie, John's sister-in-law, came to look after the Macaulay children. She was there in 1852 when the Honourable John was called to England. His eldest daughter, Annie, was at school there and very ill. He was urged to come at once. Ann Elizabeth Mary Macaulay, age 17, died in London in April of consumption and was brought home to be buried in Kingston. The record in the prayer book includes: "Alas, my dear daughter".

In 1853 John Macaulay married Sarah Phillis Young, daughter of Colonel Plomer Young. The only child of that marriage was Charlotte Jane Macaulay, born September 21st, 1855, only ten days before the Hon-

ourable John Macaulay suffered a stroke. Two years later in the *Chronicle and News* of August 14, 1857, appeared the following notice:

"DIED: On Monday, the 10th August, at his residence in Kingston, after a long illness, and in the 65th year of his age, the Honorable John Macaulay, member of the Legislative Council of Canada, formerly Inspector General of Upper Canada, etc., etc., and one of the oldest residents of Kingston."

A week later an obituary appeared telling of his long public service and ending with: "He lived an excellent man and those who survive him and knew him intimately know best how highly to appreciate him". The initials G.H.M. appear at the end of the article, George Herchmer Markland, a life-long friend of the Honourable John Macaulay.

Three children survived the Honourable John. Frances, Jane Macaulay in 1865 married George Airey Kirkpatrick and had five children before her death in 1877. John Kirby Macaulay married two years later Mary Elizabeth Nixon of New York, a descendant of Robert Macaulay's sister, Mary Macaulay Nixon. Three children were born to that marriage and when their mother died in 1874, Mrs. Sarah Macaulay, the Honourable John's widow, brought them to Knaresborough Cottage.

They used to go riding with their grandmother who took great pride in her equipage. She had an Irish coachman and she kept two horses, always black and always lively; when they quietened down she sold them to the undertaker. The youngest of these three grandchildren of the Honorable John was Frances Hamilton Macaulay who married Charles Christopher Abbott. Their daughter, Miss Charlotte Abbott has contributed much to this paper.

The Macaulay family of Kingston were loyalists, pioneers, Canadians, who served their Sovereign and their country with respect and devotion.

The Civil Service when Kingston was the Capital of Canada

— BY —

J. E. Hodgetts

Canadian civil servants, a century ago, may not have been the most efficient in the world but they were certainly the most well-travelled. The seat of government was moved so frequently that officials were unable to get into those deep ruts of routine and lethargy which are alleged to be one of the hall-marks of bureaucracy. Indeed, with that perversity now generally ascribed to bureaucrats, they reversed the usual adjuration "go west young man" and ambitiously pursued their headquarters eastward from Toronto to Kingston to Montreal. Then for a period they could count on quadrennial, all-expense tours of the St. Lawrence, as the capital rotated between Quebec and Toronto. Not until 1865 were they brought to roost in that backwoods community up the Ottawa River once unkindly referred to as "the back door to Labrador".

I do not intend to chase our early civil servants back and forth across the United Provinces, but rather, I hope to give you a snap shot of them during the short period when their perambulations came to a temporary halt in Kingston. I suspect my picture will look like a faded daguerrotype of the Kingston Snow Show Club, *circa* 1865. How could real human beings live behind those frightening beards? Could those rigid legs, one foot self-consciously pointed before the other, ever have carried their owners across the snow? Could these refugees from a fancy dress ball ever have been real persons? I fear, as I say, that my picture will convey the same stilted, unrealistic atmosphere. And yet, I could wish it were possible to do better for our early civil servants, for many were interesting people, engaged upon interesting tasks.

My tale begins with excited communiques carried by the press of the three rivals competing for the honour of becoming the capital of the new united province of Canada. The political marriage of Upper and Lower Canada was proclaimed with consummate delicacy on the first anniversary of Queen Victoria's marriage, February 10, 1841. Beginning in August of the previous year the rumours thickened. The *Toronto Examiner*, August 12th, 1840, reported that informal plans for accommodating the government in Montreal had already been drawn up but as yet had received no official blessing. A few days later the *Kingston Chronicle* kept its patron's name in the lists by reporting on the authority of a letter from a most respectable Montreal source that Kingston had, in fact, been chosen. The Toronto press quickly scotched this rumour with a statement attributed to the Governor that Kingston was too near the frontier to be capable of defense. The Kingston *British Whig* retorted in kind, accusing Toronto officials of "making assess of themselves" in their efforts to ingratiate the

Governor. Even if the rival Tories and radicals of Toronto had buried the hatchet long enough to produce an effusive address to the Governor, it was too late, the Kingston paper claimed, for Toronto to prove its reliability. The next report came from Montreal to the effect that Toronto had most certainly been selected and that Sir Allan McNab's old home had been bought to serve as a vice-regal residence.

Over the Christmas vacation the rumours died out, only to be jolted alive again by the abrupt official announcement in February that Kingston had been selected. This rumour proved to be true, and Kingston's metropolitan rivals proved to be poor losers. With a show of great indignation Toronto remarked that the harbour of the new capital was still frozen solid while the harbours of all other self-respecting cities were wide open. In June the press of both rivals reported gleefully that the flags unfurled for the gala display attending Sydenham's arrival in Kingston had to be borrowed from them. There were also snide remarks about the housing. It was rumoured, for example, that the Provincial Penitentiary was to be fitted up for the members of parliament and officers of the House of Assembly. "We have not heard", sniffed the Toronto press, "that the criminals are to be removed. The Members might have worse quarters". Mr. Viger and three colleagues from French Canada complained of having had to sleep all together in a hotel garret; "confined like emigrants" thundered the *Montreal Courier*. Even the provisioning of the new capital was cause for satire: "If a jury of bellies (we ask pardon for the word) were to sit upon the Kingston landlords, they would find them guilty without dissent, and sentence them, as an extreme punishment, to live upon their own viands and drink their own wines for the next three months". Kingston's limited larder was also the butt of crude comment by her larger and presumably better-stocked rivals. While "there is no danger of famine while we are permitted to chow so much Yankee food", hands are held up in horror at the thought that Canadian legislators must depend on American sustenance.

These jealous rumblings, however, gradually faded away as the disappointed rivals sat back confidently (and prophetically) to await the inevitable transfer of the seat of government from that poor town so recently apostrophised by Dickens as "one half burnt down and the other half as yet not built up". Meanwhile, important things began to happen in Kingston as Sydenham drove his baulky assembly at one of the heaviest legislative programmes ever faced by a representative body. Perhaps it is no matter for surprise, therefore, that the special correspondents reported only the events which took place inside that cosy legislative chamber in what is now the Kingston General Hospital. Neither the reporters of those days nor the historians of more recent date have paid any attention to the civil service of the United Canadas. It is my contention that our early civil servants in Kingston deserve better of us than silence. I also believe that it was while Kingston was playing host to the civil service that the main outlines of our modern administrative system took shape.

Perhaps our historians have been right in preserving a direct silence about the labours of our early bureaucrats. After all, it may be asked, what need would the sturdy, self-reliant pioneers have for the services of the state 115 years ago? If we adopt the traditional view we should reply: scarcely any need at all. But, let us consider the matter more closely. In the 1850's, Alexander Galt, then Minister of Finance had this to say:

Our Population, annually increased by Immigration, compels more extended arrangements for the Administration of Justice, and the wants of Civil Government. Our Infant Enterprises need to be fostered by the aid of Public Funds, and our great productive resources nurtured and expanded by the Erection of Public Buildings, the Construction of Light Houses on our Coasts, and the Improvement of our Harbours and Navigable Waters.

And independently of these inevitable Expenditures which burthen the Public Treasury of every young Country, we have from the same Fund to draw means for the Construction of Roads, the promotion of Agriculture, the support of Hospitals and other Charities, and the encouragement of Literary and Scientific Institutions, all of which in more populous and wealthy countries are efficiently provided by private enterprise and private benevolence.

In short, Galt, very much like Alexander Hamilton before him in the United States, considered a pioneer community more dependent on basic services provided by the state than a more mature, well-developed economy.

An agrarian, sparsely settled community required, amongst other services, an efficient surveying department to map out the land; a host of local land agents to guide new settlers to the best lands and to record property transactions. Indian agents were required to take care of the native population recently enclosed on reserves. The depredations of fishermen needed to be regulated by fisheries overseers, for already this natural resource was showing signs of depletion. For the lucrative staple industry, lumbering, there had to be agents to assign timber berths, collect license fees and timber dues, and grade the many types of timber moving down river to the export market. Shortly, with the discoveries of rich copper resources around Lakes Huron and Superior, gold in the Chaudière and oil in the Gaspé, other agencies had to be created to superintend their exploitation. Immigrants also had to be received and passed on up the great waterway to the interior. In the field of transportation and communication government services were no less vital to the inhabitants of the Canadas. To-day, the welfare state with all its attendant beneficent services tends to make us underrate or take for granted the provision of such public utilities as roads, bridges, harbours and canals. Yet, for the pioneers in isolated communities across Canada, a new road or bridge was a matter of great moment upon which even elections might be won or lost. Nor was the commercial empire of the St. Lawrence possible without a vast network of canal engineers, lockmasters and seasonal labourers all in the hire of the Public Works Department. The royal posts also provided that vital contact with relations back home which made it a blessing—albeit an expensive one—for the colonists. Needless to say, amongst the services essential to the community, although never popular

with its members, were the tax gathering agencies such as Customs and Excise. One could go on, but perhaps the point has been sufficiently laboured: clearly, the pre-Confederation public service filled as many permanent needs of the people as its twentieth century successor.

Primarily under Sydenham's direction, Kingston witnessed during the 1840's a reorganization of the provincial civil service which, with few changes, gave us the departmental system with which we opened the new era of confederation. The civil service that arrived in Kingston in 1841 was a hotch potch of autonomous agencies and branches. The numerous functions of the state were not grouped into a coherent pattern of governmental departments. There were no political heads responsible to the legislature for policy. A permanent deputy minister, acting as the *alter ego* of the minister and in command of a disciplined hierarchy of civil servants had not, as yet, been envisaged. The cabinet still lacked the power and party cohesion required to provide joint responsibility and a united top command. As Sydenham's distinguished predecessor, Lord Durham, had remarked: "From the highest to the lowest offices of the executive government no important department is so organized as to act vigorously and completely throughout the Province and every duty which a government owes to its subjects is imperfectly discharged".

In my opinion, Sydenham's true claim to fame lies in the successful attack which he launched upon this set of strictly administrative problems. He himself could do little to advance the cause of a responsible cabinet system for he was personally too much the partisan protagonist to sit on the side lines like our perfect model of the modern Governor General. Nor, even if he had been temperamentally suited to the neutralist role, would his chief, Lord John Russell, have permitted him to acknowledge the right of the local executive to hold itself responsible to the local legislature. Nevertheless, in the long run, Sydenham's administrative reforms made possible the evolution of an effective, responsible cabinet system. He assembled the scattered activities of government into a number of departments, each containing related functions. Each department was provided with a political head who was also given a place at the Council Table. In short, he "rationalized" our civilian departments and brought the threads of control into the hands of one man at the top. In turn, each ministerial head reported to the Governor as the supreme commander of the public service. In this last feature we find the significant departure from our modern conception of cabinet government, for we now require the departmental heads to prove they have the confidence of the popular assembly, rather than that of the Governor.

Important constitutional issues were raised by these changes, but the essential feature to be emphasized here is that Sydenham bequeathed the departmental conception and so laid not only the foundation of our modern bureaucracy but also made possible the further development of the cabinet system. Even after Confederation the departmental frame-work which he

had devised proved to be surprisingly adequate and comprehensive, as new duties were undertaken by the state.

It is in order now to consider in more detail the essential elements of this departmental system. The departments can be divided into five categories.

(1) **Administrative Agencies.** The departments under this heading were concerned not so much with providing services for the public but with facilitating the handling of government business. They included the Office of the Governor's Secretary (often referred to as the Civil Secretary's Office), the Executive Council Office and Provincial Secretary's Office. To these we might also add the law offices—the Attorney General and Solicitor General—although at this time they were not formally organized as departments and had no staff. While all the staff of these agencies worked in Kingston they scarcely constituted a housing problem for at best their combined numbers seldom exceeded thirty.

Perhaps the most important of these central departments was that directed by the Civil Secretary who was virtually the permanent head of the local civil service. Because of his prestige, this official was the favourite target of the reform element who considered this alien import a direct reflection on the capacity of the colonial officials to administer their own affairs. Even with the decline in the powers of the Governor General in Lord Elgin's time the Civil Secretary retained important administrative responsibilities; not until 1860, for example, was he deprived of his position as Superintendent of Indian Affairs in Canada. The Executive Council Office handled the paper work of government, especially the applications for land grants and the processing of land patents. Such was the labyrinth of red tapes connected with the processing of these papers that many years might go by before a land patent was finally approved. One of Lord Sydenham's innovations was the creation of a political officer with the impressive title of President of the Committees of Council, later shortened to President of Council—an office now automatically assumed by the Prime Minister. In the 1840's, however, it did not have this prestige and the President of Council acted somewhat as a secretary or business manager for the cabinet, particularly in the tedious sifting of the many applications for land patents which has been mentioned.

The Provincial Secretary's Office in this period was something like a modern Department of Municipal Affairs, generally supervising the local government units that were just beginning to appear as a result of Sydenham's prodding. It also became a repository for other headless governmental agencies such as the Provincial Penitentiary, the asylums and (unfortunate juxtaposition) the Education Offices.

(2) **Financial Administration.** The two key agencies in the second category of departments were the offices of the Receiver General and Inspector General. The two jobs today are amalgamated in the Minister of Finance but in the 1840's Kingston had to make provision for two

separate offices. The Receiver General often had little to receive because of the unfortunate practice of permitting departments to extract their administrative costs from the gross revenues before turning back the remainder to the treasury. The Inspector General was, at this time, both an embryonic Minister of Finance and Auditor General. The office was early distinguished by the competent Francis Hincks and later transformed into the modern Department of Finance by Alexander Galt. The audit was badly handled until 1855 when Macdonald induced John Langton, a practical businessman from the wilds north of Peterborough, to become our first Auditor General. After Confederation, Langton also became Deputy Minister of Finance and Secretary to the Treasury Board. Here he remained until his retirement in 1878, an amazing one-man financial band.

The revenue collecting agencies in this second category of government departments comprised the Post Office, Customs and Excise. The Post Office was under Imperial control at this time, the services it provided being so limited and costly that the colonists tended to view it primarily as a tax-gathering rather than a servicing agency. Thomas Stayner, the Deputy Postmaster General was probably the most unpopular Imperial official in the colony and was regularly accused of milking the local community of several thousand pounds per annum which enriched the British Treasury. Stayner refused to grace Kingston with his presence, preferring to keep his headquarters at Quebec. Sydenham resented the independence of the postal head but was unable to bring him under his personal supervision.

The Customs Service, like the Post Office, was also under strong Imperial influence during the period when Kingston was capital. A large portion of our customs duties, which made up the main source of tax revenue in the colony, came from Imperial duties levied on imports and exports at Quebec and Montreal. This part of the service was manned by Imperial officials. But, at the same time, a strictly Canadian customs service was being built up around the trade between Canada and the United States. The high tariffs on tea, books and tobacco led, even at this early date, to the development of smuggling activities which have, ever since characterized the relations on either side of our famous undefended frontier. Malcolm Cameron who investigated this phenomenon in 1842 estimated that our "revenooers" were able to collect less than half the duty to which the flow of trade entitled us. He noted that in the case of books the theologians and lawyers seemed to be hardest hit. He presumed that the claims of conscience made the theologians take their tax medicine quietly, while the lawyers, he observed, "can make more in time out of the people, than by evading the revenue law".

A supplementary revenue collecting agency was the Inland Revenue Branch which appears to have been in charge of nuisance taxes now normally treated as the special prerogative of municipal governments. The taxes on such varied items as steamboats, public houses, billiard tables,

"hawkers, pedlars and petty chapmen" seldom produced sufficient revenues to pay the costs of collection.

Nearly all the government employees in the departments concerned with financial administration were stationed in various centres scattered throughout the province. As a consequence the presence in Kingston of the dozen officials, who made up the total headquarter's staff of all these agencies, contributed very little to the congestion in the new capital.

(3) **Defence.** The main department connected with local defence arrangements was the Office of Adjutant General which was in charge of the militia. Since the inhabitants (except in the infrequent occurrence of a crisis or the festive "muster day") took a rather cavalier attitude toward the militia, the office tended to conduct a fairly relaxed undertaking. When Hon. John A. Macdonald took over as first Minister of Militia in 1861 he found three clerks, one of whom had not attended the office since 1859 because of epilepsy, a second was blind and the third was at "an advanced age and in delicate health". Altogether, there appear to have been roughly nine people employed at headquarters during its stay in Kingston. (My score card now reads: for the ten departments mentioned thus far, we have approximately 50 civil servants in Kingston, as against about 115 in "the field").

(4) **Education and Welfare.** Aside from the Education Offices for Upper and Lower Canada which, in fact, worked out of Toronto and Quebec respectively, certain public institutions, like hospitals, asylums and the penitentiary would be included in this fourth category. The Indian Department and the Emigration office would also fit appropriately under this heading. Theoretically, these public institutions reported to the Provincial Secretary but in practice lived almost an autonomous administrative existence. During this period, only the Provincial Penitentiary was of any real significance in the administrative life of Kingston.

While the Indian Department made its headquarters in Kingston, its organization was so loose that it scarcely warranted the title "department". Indian affairs appear to have been run by a queer mixture of Whitehall departments, Lieutenant-Governors, the military personnel in the province and the Commissariat. Since its major preoccupation had been and still was the distribution of presents to the Indian tribes, the operations of the agency were highly dispersed amongst the sixty-odd agents working in the "Indian Superintendencies" stretching from Manitoulin Island to Montreal. Colonel S. P. Jarvis was in charge of the very tiny headquarters staff while it was in Kingston. About the time the seat of government was removed to Montreal, Jarvis was engaged in a heated correspondence with the Board of Audit in England over some disputed accounts which lasted for several years and ultimately resulted in his dismissal. Thenceforward until 1860, the Governor's Secretary acted as Superintendent of Indian Affairs.

The Emigration Office throughout the whole pre-Confederation period kept its headquarters in Quebec. Kingston participated in the administration of immigration affairs only through the presence of a local agent who handled the traffic as it passed up river to the interior. The British orientation of the agency is suggested by its very title—"Emmigration Office"—its chief purpose, in the eyes of Imperial authorities being to handle British emigrants, rather than Canadian immigrants. It was shortly after the government left Kingston that the Emigration Office met its first major crisis—the influx during 1847 of tens of thousands of plague-ridden Irish immigrants. Disastrous as this forlorn tide of humanity proved to be, Canada nevertheless managed to wrest from it a major concession, the control over her own immigration service.

Perhaps the most colorful episode in the long career of this agency occurred some time after the civil service had left Kingston—although it did involve Mr. Macpherson, the Kingston immigrant agent. This was the case of the Limerick Union Girls. Some eighty of these girls from Dublin landed at Point Levis without any prior notice of their arrival. They immediately went out on the town, selling all their worldly goods and becoming uproariously drunk. The alarmed authorities shunted them quickly to Montreal where they were sheltered by a kindly order of nursing sisters. Their behaviour remained unimproved and they then had to be passed on up the St. Lawrence for distribution amongst the population. In Ottawa we hear of them being rejected as totally unfit for domestic employment and at Kingston, after the local agent had found occupations for them, they soon came back on his hands. We have a final glimpse of them steaming for Toronto, as Mr. Macpherson noted in shocked surprise, some of them lying dead drunk on the decks and some of them in the arms of artillery officers who were on board. "And all this in broad daylight, too", was Mr. Macpherson's final sad commentary.

Returning to our score cards we may now note that fourteen agencies have been accounted for and that so far only about 60 officers were actually working at headquarter's staff in Kingston.

5 Natural Resources and Development. The largest operating and spending departments were included in this fifth category, administration of natural resources and development of communications. Sydenham reorganized the Crown Lands Department while it was in Kingston but he probably never envisaged that it would become a holding company for a vast miscellany of administrative duties. In addition to the real estate operations of the government, it soon absorbed the Surveyor General's Office (1843) and took on such new branches as Mines (1847), Woods and Forests (1854), Fisheries (1857) and, ultimately, Indian Affairs (1861).

The biggest administrative problem of this agency was the hoard of local agents which it had to deploy across the province, disposing of the natural treasures which were the only capital assets at that time. How

to superintend them and, more particularly, how to keep them honest in the face of almost inexhaustible opportunities for plunder were the main unresolved issues. Moreover, given the variety of somewhat disconnected and autonomous branches contained under its roof, the Department faced a perpetual problem of coordination. It is not surprising, on that account, to find Crown Lands pioneering in the use of a permanent official at the top, now a familiar and indispensable part of every government department, namely, the Deputy Minister. But that notable advance was to take place some time after the civil service had departed from Kingston.

The other giant department was Public Works; its main administrative difficulties derived from its responsibilities as chief spending agency of the province. The Union of 1841 had been cemented with the Imperial loan of one and a half million pounds, most of which was to be spent on public works. Consequently, Sydenham took special pains to see that the Department vested with the important duty of spending this money would be honestly and efficiently run. Since most of the loan was devoted to building the canal life-line of the colony, the Department of Public Works was virtually a department of transport. In addition, however, it acted also as the government's housekeeper, building and maintaining all public buildings, gaols, court houses and the like.

The man who presided over this department while it was in Kingston and, indeed, off and on, for many years after, was Hamilton Killaly. One of his fishing friends, and Sydenham's Chaplain, the Reverend Agar Adamson, has left us this amusing and revealing description of him. We may conclude from it, I think, that the early civil service in Kingston was not without its characters.

He was the most expensively and the worst dressed man on the wide continent of North America. . . . I have seen him at one time promenading a populous city in a dirty, powder-smeared and blood-stained shooting coat, while his nether man was encased in black dress pantaloons, silk stockings and highly varnished french-leather dancing pumps . . . It was a complete puzzle to his acquaintances where he obtained all the old hats he wore . . . Though his head was white, and his face purple—like a red cabbage in snow—he was, as Nathaniel Hawthorne says "a wonderful specimen of wintergreen". . . . His voice and laugh . . . came strutting out of his lungs, like the crow of a cock. . . . His temper was uncertain as the wind towards his subordinates, sometimes familiar as a playfellow, at others as injurious, overbearing and unreasoning as a Turk. He was more cautious, however, with his superiors, and with those whose opinions might affect his interests.

Apart from the expenditure side of this department, its main problems arose from the presence of large numbers of technically trained personnel on its staff. The relations between the skilled engineer and the politically responsible layman who was required to direct the department's affairs always revealed a serious tension. The engineers had a tendency to assume powers and make decisions which were not constitutionally theirs to take. This is a constant temptation when the man on top is not a specialist and probably incapable of understanding the specialists' explanations. The upshot of this uneasy relationship between the politically responsible layman

and the technically competent specialist was periodic upheavals in the department caused by sudden revolts on the part of the political head against the assumption of power by his skilled subordinates. The revolt usually took the form of dismissal of the chief permanent official who always happened to be, at the same time, an engineer. Killaly, for example, was discharged for an irresponsible, over-enthusiastic expansion of the canal building projects and later Samuel Keefer met his Waterloo over the fiasco of the construction of the Ottawa Parliament Buildings. These episodes have had their most recent contemporary parallel in the highways scandal in the Province of Ontario.

With these two large departments added to our previous list the total population of bureaucrats in Kingston came to about one hundred, while another two hundred and fifty or so would have been dispersed throughout the province. Roughly that would mean that there was one civil servant for every 3,000 citizens as contrasted today with a ratio of approximately one to forty-five.

Working Conditions in the Civil Service. I have not made any intensive investigation of the local housing arrangements for civil servants while they were in Kingston, nor does space permit more than a brief glance at the working conditions then prevailing. Civil servants were, of course, recruited on the casual patronage system which lingered for a long time after Confederation. No examinations of any kind were required until after the first Civil Service Act was passed in 1857. However, for land surveyors and timber cullers (as the group of timber graders at Lachine and Quebec were called) tests were instituted somewhat earlier. We should preserve perspective here and note that this situation was not confined to the civil service. There were really no professions firmly established in these early times; doctors, lawyers, engineers and the rest were by no means the firmly-entrenched professionals they have now become. Promotions, as one might expect, tended to follow the easy and automatic principle of seniority. Salaries appear to have been quite decent judged by prevailing standards. Many public officials were able to keep servants in true Victorian style and in a land where fixed cash salaries were the exception, civil servants probably had little cause to complain.

Civil servants worked in stove-heated, ill-ventilated offices lit by candles. Official hours were from 9 a.m. to 4 p.m., "without interruption". In winter, presumably because of inadequate lighting and the early closing in of daylight, office hours were from 9 to 3.30. Some departmental regulations, by modern standards, would appear to have been quite rigorous. No newspapers were to be read in the office and no communication with outsiders was permitted without the sanction of the superior officer. (This regulation was emphasized by the House of Commons in 1857 in connection with a bill to deal with the case of land speculators attempting to ingratiate themselves with the officials.) Smoking was prohibited—most likely

because of the constant fire hazards. Absence without leave for more than one hour was likely to bring the offender on the carpet.

Paper work, always regarded as the true insignia of bureaucracy, was tremendous and relentless. To process a militiaman's land claim, for example, required eighteen different entries to convert the claim to scrip, another sixteen to get land with the scrip, and involved eight different branches of government to consummate the transactions. The financial departments maintained duplicate records in order to provide a check and double check on departmental accountants but since these records never tallied and the books were kept in different ways, they were almost worthless.

Perhaps the most interesting feature of the bureaucracy in its early days was the way it mirrored the political dualism produced by the new and uneasy union between the two Canadas. We are familiar with the system of joint premierships which that union required; it is not so generally known that this same dualism was also carried well down into the administrative services. There were, for example, branches of Canada East and Canada West in the surveyors, land sales and land patents divisions, in the Provincial Secretary's Office and in the Public Works Department. This did not mean that these separate divisions carried on their activities in their own respective sections of the United Province, they all, in fact, worked in Kingston. Nevertheless, the presence of quite separate administrative entities for each section was a clear indication that the Union of 1841 was only superficially a joint enterprise.

This, then, was the Canadian civil service at the time when Kingston was the capital. Our story must conclude on a gloomy note. In November, 1843, the provincial Assembly approved a resolution to shift the capital to Montreal. Kingston was stunned, but even as late as May, 1844, the *British Whip* was still "sanguine that things will turn up preventing the removal altogether". The portents, however, were ominous. In Montreal the government offices were ready. Sir Charles Metcalfe, the Governor, lingered in Kingston only because the plaster in his new abode had not yet dried. Some senior officials were also completing arrangements for their departure. Mr. Samuel Keefer, chief engineer of the Public Works Department, was offering his place for rent. Killaly followed suit by offering to let his cottage, known as the Saint's Rest, complete, so the advertisement claimed, with hot and cold baths. Even Metcalfe's cook prepared for the departure by inviting all tradesmen and merchants, if he had overlooked them, to submit their bills.

On June 4th, the *British Whip* reported that all the officials were packing and preparing to move down river in earnest. Indeed, the paper had cause to complain of the thoroughness with which at least one member of the bureaucracy had packed his belongings: one

large packing case being loaded aboard ship happened to burst open and revealed half a cord of the official's firewood valued at 3/6. The cost of transporting this bulky item of "personal effects", the *Whig* acidly pointed out would have amounted to £1.9s.6d. . !

In the June 14th issue of the *Kingston Chronicle and Gazette* we are informed that the public offices have closed their doors for the last time, only the Emigrant agent and the Adjutant General remaining behind. Five days later it reports that the public officers have left for Montreal. "Kingston appears, as may be expected, dull and flat. That very serious injury has been inflicted upon some individuals, who have been induced to expend money in building houses—even probably to their ruin—is most certain; that others will suffer from reduced incomes, and that all more or less will feel the consequences, cannot be denied". All papers carried fulsome reports of the farewell breakfast tendered Metcalfe and his retinue at Daly's, but the authentic note (with special attention to the cord wood) is struck by these verses from the pen of a local bard:

The Removal

As sung by the Clerks and others on the Evening Previous to their Departure.

Air — "The Song of the Shirt".

Pack—pack—pack—
Pokers, and Tongs and Shovels,
Bottles, and cases of sack,
Move all to our Eastern hovels,
Pack—Pack—Pack—
Everything—large and small,
You can't cram too much in the sack,
For—**Government pays for all.**

Cram—CramCram—
All you can muster or borrow,
Give it a twist and jam—
We travel Eastward tomorrow,
Cram—cram—cram—
Fill up some boxes with hardwood—
Honesty's naught but a flam—
Bring all your ashes and cordwood!

Stuff—stuff—stuff—
Bring all—from a pin to a needle,
Hincks will give us a "puff"—
Poor Hincks! He's our parish Beedle.
Stuff—stuff—stuff—
Servants and hacks, and spouses,
If there's not luggage enough
We'll pack up our landlord's houses.

Off—off—off—
Each can boast of his having been a
Willing companion of
The amiable learned Hyena.
Pack—pack—pack—
Everything—large and small—
You can't cram too much in the sack,
For—**Government pays for all!**

With the rhymes of this doggerel sounding in our ears, we may appropriately ring down the curtain on this episode in the variegated history of Kingston.

Early Schools in Kingston

— BY —

F. P. Smith

(Note: Owing to illness, Mr. F. P. Smith was unable to complete for publication the paper which he read before the Society in February 1956 under the title "The History of Education in Kingston 1785 to the Present". With Mr. Smith's permission the Editor has reproduced here a paper which Mr. Smith read to members of the Society in 1933. It contains a great deal of material which Mr. Smith included in his later paper).

To understand clearly the educational problems of the early inhabitants of Kingston, one must understand the social problems of the citizens. Wrenched violently from their homes in the American Colonies, they came to a new land devoid of all the refinements of society to which they had been accustomed. Those of position had been steeped in the traditions of their Motherland; they knew no other kind of education than a training in the Classics. As far as the masses were concerned there was, however, no serious thought of including them in the educational system.

Kingston was, and no doubt always will be, predominantly English. Its first citizens were officers and men of the garrison, together with officials and merchants. One can readily see that their views of education would differ materially from those of a community wholly given over to agricultural pursuits. We must not think of the people of the village of Kingston as being illiterate. It is true that a great many were unable to sign their names, but even when we find a man or a woman making his or her mark, we cannot be too sure that the writer was totally uneducated. Let us then think of a small village of say fifty houses, ready and anxious to take advantage of any educational facilities that could be offered.

In 1786 the opportunity came. In that year the Rev. John Stuart, father of the venerable Archdeacon George Okill Stuart, who had arrived in Kingston the previous August, started a school. We must not be surprised that Stuart, as an educated clergyman, was interested chiefly in the classics and in the Anglican catechism. The school was open to any body (girls would have to receive their training at home) who could pay the fees prescribed, although Mr. Stuart did not, apparently, insist too strongly upon payment when the parents could not really afford them. The subjects taught included Latin and Greek, in addition to moral education and the three 'Rs. One might think this was an unusual kind of school to open in a back-woods wilderness; but the people whose sons attended this school had all received a classical education, and they were perfectly confident that this was the training best suited to their needs.

At the same time and in the same year, the British garrison stationed at old Fort Frontenac found the need of a school, and we find that the chaplain, the Rev. Mr. M. Donovan, acted as schoolmaster at the garrison school. Mr. Donovan is also to be found acting as schoolmaster in Mr.

Stuart's school for several years. Subsequently Mr. Stuart's son, George O'Kill Stuart (who later opened a school in the provincial capital at York) became schoolmaster in Kingston. In 1798 it is recorded that the school held a public examination to which all the people of substance in the community were invited to attend.

The first public recognition of the work being done by Rev. John Stuart as the Father of the Kingston educational system, was a grant of £100 by Lieutenant Governor John Graves Simcoe. At first Mr. Stuart had conducted the school in his own Rectory. Later it was moved to a frame building on School Street, now Lower Union. It existed for many years, and we find the Grammar School Board, as late as the governorship of Sir John Cathcart, making representations that it was, totally inadequate to carry on the necessary work.

In the early days each village site chosen, (and we must remember that these village sites included practically one for each township) had a church lot, a lot for a school site and certain lots for the school master. In the case of Kingston these lots were afterwards sold by the Midland District Grammar School Board. In 1797 the government of the province of Upper Canada again furthered the progress of education by laying aside large areas of land for educational purposes. As can readily be imagined, the land was of very little use to education, since its sale netted but a small amount. Yet £180 per year was paid the school master and his family. This amount could be supplemented by the amount received from boarders, who were expected to remain with the school master if their homes were at a distance. That this school was not entirely satisfactory we can judge from the fact that John Strachan, afterwards Archdeacon and Bishop, was brought out from Scotland to be a tutor to the Cartwright family. He opened a school in Kingston in the year 1800. He remained in Kingston for three and a half years and then moved to Cornwall. He was succeeded in his work by Mr. Mitchell, afterwards Judge Mitchell.

In 1807 the Grammar School Act was passed by the Legislature of Upper Canada. This was one of the most forward steps in education that had yet been made in this province. It provided for a Grammar School in each of the seven districts. That of the eastern district was at Cornwall, that of the Johnstown district about four miles above Prescott on the St. Lawrence River, while that of the Midland district was the old school of Dr. Stuart on Lower Union Street. The sum of £100 a year was given to each school and a board of trustees appointed by the Lieutenant-Governor. In these Grammar Schools, as we might expect, the study of the classics received the major part of the time. However, the mathematics were not neglected, since in a new province and a mercantile community it was clearly felt that the pupils must have the rudiments necessary for business life. As yet there was no opportunity given for the girls. The first teacher of the Grammar School under the Act of 1807 was Mr. John Whitelaw. This Grammar School for some years satisfied the needs of the community. The old school remained in operation for many years, although

in a most dilapidated condition, Mr. Whitelaw retired in 1817 and was succeeded by the Rev. John Wilson, whose term of office closed in 1825 when he received an official position in the University of Oxford. He was succeeded by George Baxter. The first public recognition of non fee-paying pupils were two scholarship candidates, one from a school on the site of the Royal Military College. This school grew slowly, and by 1831 had only forty-eight pupils. Some of the principals were well known. R. V. Rogers succeeded George Baxter, and in 1849 W. J. Irwin succeeded to the principalship. A forward step was made when the new Grammar School was built, which is now called Sydenham School. It had a serious competitor in Queen's University Preparatory School, but in 1862 the two united and the progress has been steady from that time. In 1862 there were four teachers and Mr. Samuel Wood was principal. He was succeeded in 1876 by Dr. A. P. Knight.

Not until the year 1870, did England see that education for the masses of the people was absolutely necessary and commence a system of primary education. It is not wonderful then that facilities for primary education should have been established in Upper Canada early in the century? Loud had been the complaints in the Legislature that the Grammar Schools were of little value to any but the well-to-do. Petition after petition came before the house asking that some attention be paid to primary education. Finally in 1816 the Common School Act was passed. Boards of Trustees were established with power to open schools, charge fees and levy rates upon the community for the maintenance of these schools. Unfortunately, as far as the City of Kingston is concerned, no records have been discovered earlier than 1850. The reason for this is quite obvious. Each ward of the city was independent and had its own school board, hired its own teachers and maintained its own school. Not until the Act was amended in about the year 1849 and a common Board of Education appointed for the whole city was any real progress made.

In the year 1846 there were seven schools and 622 pupils. About fifty pounds was collected from tuition fees and the rate bill. The average salary per teacher was sixty-six pounds. In 1847 the city was divided into four school sections and there were ten schools, five male and five female. The number of children under sixteen years of age attending them was 720, and the average attendance was 72. In 1849 a common board was appointed for the whole city and from that time until the present progress has been steady. However, the report of the superintendent for the year 1849 shows that within the city limits there were 2,500 pupils between the age of five and sixteen. Of this number 738 were in attendance at the common schools and 826 in private schools. Truly, the English sentiment was prevailing at that late date. If the progress was not rapid after 1816 until 1850 and very few schools were established until the Act, yet there was no lack of private ventures. In 1817 we gather from the *Kingston Gazette* that Baker's Classical School was opened on Rear Street, now

Barrie. Mr. Wolfe had a private day school for girls; Mrs. Hill one for young ladies; while Mr. Tolkien was ready to teach reading, writing, arithmetic, grammar and geography. As if this list was not formidable enough we find that in 1818 Mr. Harris opened a new school; Mr. Hodgson advertised one with a ponderous curriculum; Mr. Lapsley was ready to take pupils; and Mr. and Mrs. Pringle had also commenced business. We will emphasize the word business, for these schools were not opened from any sense of public sentiment but purely for private gain. They were usually placed in poor quarters and lasted but a short time, to be succeeded by others of the same nature.

Only from incidental references do we find other schools under the Grammar School Act in existence. The one on Point Frederick was in operation with a board of public school trustees and sent a scholarship boy to the Grammar School. If we did not know otherwise, we would be compelled to believe that very little attention was paid to elementary education in the city of Kingston from 1816 till 1850. Such, however, was not the case, and there was a reason why more pupils were attending other schools than those attending the Common Schools established under the Act of 1816. Early in the century public sentiment was being focused upon the subject of primary education. The legislators saw the need plainly enough but there was no system by which the need could be met. All saw, or thought they saw, that schools should be cheap if the masses were to be educated. Free education was not popular, and the argument was put forward that free education was pauperizing the people.

The first movement came from a man named John Lancaster, whose aim was to establish schools with an enrolment of as high as a thousand pupils. By an ingenious system of monitors much good was to be accomplished at an extremely low cost. We can now look back on the movement and see its great defects. The education was of a purely mechanical type and did not teach the pupils to think. However, this movement, which made great headway in Great Britain, had its effect on the Kingston schools and we are yet benefiting from the movement. In 1815 the Midland District School Society was formed for the purpose of establishing a Lancasterian School in Kingston. Funds were solicited, a building purchased and a teacher engaged. The plan was good. Great attention was paid to the morals of the children, and the children were expected to attend divine worship at such times and such places as their parents or guardians should direct. This school was situated opposite Sydenham Street Church.

At first it flourished, but owing to the imperfection of the methods employed it greatly languished and was in danger of going out of existence; in fact, for a few years it remained closed. However, fortunately for the City of Kingston, in 1833 it was re-opened under a new charter, allowing any method to be used, and for many years answered the needs of a great number of children. Primarily meant for poor children, soon members of the better class attended and good work was accomplished. Some-

times the enrolment rose to three hundred. The fees were extremely small, as low as five cents a week. When the school was no longer found necessary, owing to the advance in primary education under our present school system, the school was closed, but the Midland District School Society yet remains. From the invested funds the board of trustees, which is self-perpetuating, grants money to the Childrens Aid Society and sometimes to the Board of Education for playground purposes.

During this period the women of Kingston, never behind in matters of education or other unselfish work, had organized a hospital. The hospital became too large for their efforts and after Kingston ceased to be the capital of Canada was handed over to the Board of Governors and now forms the present Kingston General Hospital. Their attention was then directed to a House of Industry which is now a stone building on Earl Street between Division and Barrie. To this was attached a school for poor children. Strange to say, each child attending was given his or her mid-day meal. This institution afterwards changed and became the Orphans' Home, in which was again established a school.

It is not my purpose to describe the schools of Kingston later than the year 1850. As I have mentioned before, primary education had been established but had by no means reached the masses of the people. When we think that but one-quarter of the total school population were attending common schools, whereas now practically ninety-nine percent attend them, we can see the advance made since 1850. Let us examine the situation as it existed when the Common School Act permitted the City Council to appoint one school board for the whole city. Not one school house was owned by the board. All were in the hands of private individuals and were rented to the board by the owners. The owners were the teachers.

In 1850 the following schools were in operation:

Mr. and Mrs. Hoppin, Clarence, between King and Wellington; Mr. Bryson, Union Street, opposite St. James' Church; Mr. O'Donnell, Ontario, near Queen; Mr. Scott, Bagot, between Johnson and William; Mr. Morrison, Division, corner of Division and Brock; Miss Clarke, Williamsville School, then on Victoria Street; Miss Chestnut, Queen Street, one door east of St. Paul's Church; Miss Graham, Colborne, near Sydenham Street; The Morrison, Johnson, corner Johnson and Bagot. It will be noted that the sexes were segregated and half the teachers were men and half were women.

A Clash in St. Paul's Churchyard

— BY —

R. A. Preston

In June of this year a large gathering of interested people will gather at the U.E.L. Cemetery in Adolphustown to attend ceremonies which will fittingly mark the success of efforts to restore that historic place to a decent condition. In recent newspaper articles this cemetery has been described as one of the oldest English cemeteries in Ontario, which of course it is. It has also been said to be "perhaps the oldest" and "possibly one of the first white cemeteries in Ontario". The basis for these claims is that a child was buried in that place within a few days of the arrival of the Loyalists on June 16, 1784.

Although that cemetery is undoubtedly one of the oldest Loyalist cemeteries and one of the oldest white cemeteries which still exists in Ontario, it is not the oldest known white burying ground in this province. The French came here to Cataraqui in 1673; and obviously the Recollet and Jesuit priests who served at Fort Frontenac would have a cemetery. Indeed we have a Recollet Parish Register for the years 1747 to 1752 which records ten burials, French and Indian. And from a statement made many years later by one of the first English settlers we know where the French gravevard was. He declared "The old French burial ground was situated near old Fort Frontenac, on the point where the Honourable Richard Cartwright formerly resided". That puts it somewhere near where the road enters the La Salle Causeway from the west, perhaps under buildings of the present Fort Frontenac. The same man also recollected the site of two ancient Indian burial grounds near to the French fort; but unfortunately he did not state where they were.

There is also reason to believe that the U.E.L. Cemetery is not as old as St. Paul's Churchyard. The information about French and Indian cemeteries was given by a William Crawford in 1825 at an enquiry designed to prove that the first English cemetery in Cataraqui (i.e., Kingston) belonged to the episcopal Church of St. George. In the course of the enquiry, evidence about the first establishment of that cemetery, now known as St. Paul's churchyard, threw light on its age. Several witnesses stated that the cemetery had been reserved at the insistence of the Reverend John Stuart, the first Church of England clergyman in Upper Canada, who had obtained the ground from the commandant of the troops, Major John Ross. If this was so, it would suggest that St. Paul's churchyard was not used as a burying ground as early as that at Adolphustown; for John Stuart came only briefly to Cataraqui in June of 1784 and did not return to take up permanent residence here until August 1785.

But it is likely that in this respect the witnesses at the enquiry were wrong. Several others gave more precise details. One testified as follows: "I, John Ferguson of the town of Kingston, do hereby declare that in the fall of the year one thousand seven hundred and eighty three, this declarant, by the direction of Major Ross of the 34th Regiment, at that time Commandant of Kingston, did mark out the boundary line of the ground now occupied as the Episcopal Burying ground (i.e. St. Paul's churchyard), that Major Ross was present at the time, and that the first person that was interred in the said ground was a Corporal Forrester of the Second Battalion of the Royal Yorkers". William Crawford, he who remembered the French and Indian burying grounds, told this to the committee taking evidence in 1825: "A man named Forbes died shortly after the arrival of the said battalion (of the Royal Regiment of New York which arrived in Kingston on July 30, 1783) and was among the first interred in what is now called the Lower Episcopal Burying Ground". He added that "One Sweeney" of the 84th Regiment, who was on leave at Fort Frontenac, died "early in the winter of 1784" and was also interred there. By "winter of 1784" he probably meant the early months of the year. He also said, "This burial ground was not enclosed until after 1784 when a paling fence was put around it". This last statement probably explains the errors made by those witnesses who thought that Stuart had solicited the Commandant to set the ground aside for a cemetery. They remembered that it had been one of the Rector's first cares after his arrival.

Even more positive evidence came from John Carscallen, a Deputy Chaplain of the Royal Yorkers, who said that he came to Fort Frontenac in the spring of 1783 and that he buried a Corporal Forbes, who was the first person to be buried in the lower episcopal burying ground which was set apart by Major Ross. We also know that the Reverend John Stuart, on one of his two visits to Cataraqui in 1784, buried a child in Kingston.

This evidence shows clearly that the St. Paul's churchyard antedates that at Adolphustown. The differences about the identity of the first person to be buried there are not important. They can be explained by the inevitable weaknesses of memory forty two years after the event.

The enquiry in 1825, which thus establishes for us the age of the cemetery, was held in connection with an unseemly clash at a funeral in the burying ground, between a clergyman of the Church of England and a minister of the Church of Scotland. The men concerned were the Venerable George Okill Stuart, Archdeacon of York and Rector of St. George's, the son and successor of the Reverend John Stuart, and the Reverend John Barclay, the first Minister of St. Andrew's Church. An earlier clash between these men at the burial ground is described by Mr. Roy in *Kingston, the*

King's Town where Mr. Roy takes the attitude that Stuart was entirely at fault because the Church of England and the Church of Scotland were, "in the eyes of Canadian law, . . . of equal status and entitled to the same privileges and benefits". Mr. Roy said that the Presbyterians were surprised to find that their claims to bury their dead in the episcopal churchyard opposed. He alleged that Stuart was a "hard grasping man of business by nature who . . . showed little of the grace of God at the beginning of his ministry and who . . . ought to have been a realtor". Stuart's opposition to the Presbyterians he described as "a most unchristian and uncharitable act". Mr. Roy apparently did not know about the later incident which was much more dramatic than the one which he described and which would have given even more scope to his very vivid pen.

These two incidents in the churchyard cannot be attributed to the personal qualities of the men concerned. The friction in Kingston was a part of a conflict which had spread throughout Upper Canada. To understand them it is necessary to know something about that wider struggle and also about the early history of the churches and the burying ground in Kingston.

When the Reverend John Stuart came to Cataraqui he was the only clergyman in Upper Canada with a so-called "parish" extending from Point Bandet to the Thames River. For many years there were very few other clergymen in the Province. In the earliest days all the Protestants in Kingston worshipped together in the new barracks built by Ross on the site of the old French fort in which a room was fitted out as a chapel. Stuart had applied for an appointment as Rector of Kingston and also as chaplain to the garrison. But it was several years before he received any money from the government in either of those capacities, and he supported himself by the farm which he worked in Kingston (it was on the site where Queen's University now stands), and with a £50 allowance from the Society for the Propagation of the Gospel in Foreign Parts. He told the Bishop of Nova Scotia in 1788 that as soon as there was any question of collecting money from his parishioners to pay for his salary he discovered that the episcopalians were far outnumbered by the dissenters. This was indeed the case, especially outside Kingston. Stuart also said that the Loyalists expected to get their religion in the same way as they got their rations of flour and peas, as free issues from the government.

Despite this vast majority of dissenters in the new settlements Stuart and other churchmen were anxious to establish the Church of England in Canada as it was established in England and they received powerful support from Lieutenant Governor Simcoe. Even before Simcoe arrived Stuart had been granted a salary of £100 per annum by the government in Quebec as the Rector of Kingston. From 1791, following a policy which had been begun with the Quebec

Act of 1774, one-seventh of unallotted land was set aside for the support of the "Protestant" clergy. The Church of England claimed that, as it was the established church in England when the act was made, the clergy reserves were intended for its support and its support alone. This claim was naturally resented by the great majority of the population who belonged to other churches.

Interdenominational strife was much more bitter then than it is now. It was irritated at that particular time by this question of the clergy reserves. The clergy reserves question was thorny because the large areas of undeveloped land hindered the economic development of the country. Yet, because of the amount of animosity aroused between religious groups, the problem proved difficult to solve. One critic described the reserves thus: "Like rocks in the ocean they glare in the forest, unproductive themselves, and a beacon of evil to all who approach them". The years from 1819 to 1825, when the Kingston cemetery question was being disputed were times of intense excitement about the reserves. The local problem had a direct connection with the larger issue, and a decision here might have been an important precedent. The Executive Council of the province favoured retaining them for the Church of England, while a majority in the Assembly championed the cause of the Presbyterians. To make matters worse, the Assembly had in 1816 passed an Act to abolish tithes (also a question related to the problem of the reserve,) but it did not become law until 1822, and the Assembly was naturally irritated by the delay. There is no wonder, then, that the Provincial government failed to act expeditiously on the question of the Kingston cemeteries and that the contestants were therefore brought to the brink of violence.

In the townships near Kingston most of the settlers were Lutherans, Methodists, and Presbyterians. They were at first served only by circuit-riding missionaries from the American Methodist Church. There was keen rivalry between the Church of England and the Methodists. The Reverend John Langhorne, sent out by the Society for the Propagation of the Gospel to aid Stuart, was established at Ernestown (Bath) and there waged an unremitting war against the dissenters. He embarrassed Stuart on one occasion by announcing that as marriages performed by ministers other than those of the Church of England were illegal, persons so married were free to marry someone else. Two Lutheran couples took him at his word and came to him to be remarried — with a switch in partners. On one occasion a Methodist preacher turned the tables on Langhorne by stopping him in the street and asking him earnestly if he was saved. Langhorne also had frequent clashes with the Presbyterian minister at Frederickburg, Mr. McDowall. The Rector of Ernestown was a peculiar character. He was rigidly orthodox; and he caused quite a furore by excommunicating those of his parishioners who failed to come to communion. Stuart frequently reported /

to the S.P.G. that he was a continual source of embarrassment; but in the end he said that the people were getting used to his peculiar ways, so much so that if the Rector of Ernestown were to walk down the street naked they would take no notice.

The right of performing marriages, over which Langhorne had wrangled with the dissenters, was another way in which the Church of England had virtually been established in Upper Canada. In 1798 that church's exclusive position in that respect was modified when Lutheran and Calvinist ministers were given the right to take out a license to permit them to perform the marriage service. But members of other denominations, notably the Methodists who were growing in numbers, especially in the rural areas, had to repair to either an episcopal priest or a Presbyterian minister to get married.

In Kingston itself the English church was much more firmly entrenched than elsewhere. This was probably because Kingston was a garrison town and there was a traditional alliance between the English church and the army. It was also no doubt due to the powerful personal influence of "the little gentleman", as John Stuart was affectionately called because he stood six feet four. Two Methodistical preachers had, indeed, attempted to invade Stuart's private reserve in Kingston in 1790. An Irishman named McCarty, who had no official Methodist affiliation, was driven from the town as a vagabond and disappeared in mysterious circumstances which caused him to become something of a Methodist martyr. The other, a well known Methodist pioneer named Lossee, failed to make any headway in the town itself and so withdrew to a remote area of the township, about five miles from the urban area, and there built a chapel. This was at a hamlet which later was called Waterloo and is now Cataraqui. To counteract his influence the Reverend John Stuart made a practice of going once a month to preach in that area on a week day.

The Presbyterians had had an army chaplain on Carleton Island, the Reverend John Bethune, and he had probably come occasionally to Cataraqui in the first few months. But when the regiments were disbanded he went down to Montreal and then later returned to Glengarry county, where he built a church in 1787. Another Presbyterian, Robert McDowall, was located in Frederickburgh (Sandhurst) from about 1800. His register of births and marriages is now in the Queen's library. It contains a few names from Kingston between 1800 and 1820 which show that he extended his ministry into the town. Significantly there are no entries for Presbyterian burials, either there or elsewhere. Apart from these, the only competitors John Stuart had were the Catholics who tried to set up a chapel as early as 1793 and who actually built the first stone church in the town in 1808.

This survey of the religious history of early Kingston is necessary because it helps to explain the history of the old burial ground set aside for civil and military use by Major Ross. The "glebe land", the one seventh clergy reserve, was up at the top of the Sydenham Street hill in an area not at first developed. Moreover it seemed to be too shallow in soil for use as a graveyard. Therefore, the land marked out in 1783 continued to be used as the communal burying ground. Before the first St. George's was built in 1792, on the ground now occupied by the Whig-Standard building, a sexton had been appointed by a Vestry meeting of Stuart's church. He was paid sixpence a week to sweep out the barrack room used as a church. He was also instructed to dig graves in the churchyard, to collect the fees for interment, and to collect his own remuneration for digging the graves. As early as 1789 the churchwardens of the Church of England had turned their attention to the graveyard and arranged to enclose it with a paling fence. Later, between 1800 and 1810, the paling fence was replaced by a stone wall with a gate and a padlock. These cost St. George's church £120. 8s. 2½d. It was said later that the Reverend John Stuart realized that his church had no title deeds for this land and that, in co-operation with his foremost parishioner, the Honourable Richard Cartwright, an application was made for a proper title. If this is so, for some reason the deeds were never made out. Perhaps, as was afterwards believed, the matter seemed of small import in those early years. The churchyard though maintained by the churchwardens of St. George's, was available for all Christians. There was no one likely to dispute the title.

The War of 1812 brought a large increase in Kingston's population and soon created the need for more ground in which to inter the dead. The Catholics had probably begun, even before the war, to bury in the churchyard of their new church, St. Joseph's*, which was on the site of the present Notre Dame Convent. The cemetery was where the recreation yard is now. From 1822 there was also a graveyard in connection with a "Union Church" built by a group of Protestant sects at the south-west corner of Barrie and Johnson. Some private burial grounds also came to be used. The Herkimers had one on the site of Ban Righ; and I am told that there are gravestones in the yard of a house on the south-west corner of King and Lower William which may have been the site of another private cemetery. But the chief expansion of graveyard facilities came as the result of a petition made jointly by members of the Church of England, the military, and the Roman Catholics about 1819. This led to the opening of the graveyard at the top of the hill where the Lions Park is now situated.

The Methodists, Presbyterians, and other groups did not participate in this petition and therefore received no part of the grant.

*Roy, p64 follows Horsey, and calls this church St. Joseph's. Both quote a tablet which read "St. Columba, 9th June 1808". Brig. A. E. Ross *History of St. Andrew's Church* referred to "St. Columbus" Church as the Catholic church in 1825.

The former were not strong in the town of Kingston. A few English Methodists had come to Kingston immediately after the war, only to become involved in a bitter dispute with the American Methodists who had long been established in the country round about. The English Methodists were probably too deeply committed on that front to get engaged in another contest. Furthermore they tended to recruit from the poorer citizens; and they were not yet influential. They had no official recognition, not even that granted to Lutherans and Calvinists in the Marriage Act of 1798. When they wanted land for a church in 1817 they had to pay for it. "To him that hath shall be given". The whole position of the Methodists in these religious rivalries at this time was summed up by a Presbyterian writer on the question of the clergy reserves by a cutting statement: the Wesleyan Methodists were, he said, as "obsequious as ever".

But the Presbyterians were a very different group. Since the Marriage Act they could claim that their church had had some recognition in Canada. One or two Presbyterian ministers had been granted state salaries although usually only £50 as against the £100 granted to the Church of England parsons. Their Church was, of course, the established church of Scotland and they were able to argue that it was recognized by the Act of Union as an official established church in Great Britain. They therefore contended the Episcopal claim that when the acts of 1774 and 1791 referred to the support of "Protestant clergy" they meant only those of the established church and that that church was the Church of England. However, it was rather awkward for their argument that the act of 1791 also spoke of the setting up of "rectories" which were a purely episcopal institution.

The law lords of England wrestled with this knotty problem in 1819 and came up with a ruling which, as is often the case with legal decisions, at first seemed clear but on second reading left things much as they were. They ruled that the clergy reserves need not be confined to the Church of England only, but should be extended to the Church of Scotland. Other dissenters, however, had no claims upon them. This seemed fairly clear, but as they went on to say that the colonial government might, if it wished, either divide the whole seventh in any particular township or give it all to the Church of England, the situation remained much as before. This equivocal decision in favour of the pretensions of the Presbyterians had been countered in the same year by an episcopalian *démarche*. Archbishop Mountain had persuaded the government to set up "clergy corporations" in each district to administer the reserves. The Church of England was obviously determined to make good its claims to these lands.

The Presbyterians in Kingston had not joined in the petition of 1819 for a common burying ground for a very good reason. Riding

the tide of growing sentiment in favour of their having a share in the clergy reserves, they had already petitioned successfully in 1817 for land on which to build a church, a manse, and for use as a graveyard. Before they received it they had had to modify their petition and the proposed deed. They had had to omit the name of a Mr. Bidwell, who was an American, from the list of proposed trustees. And they had had to reword the proposed deed so that, as a member of the Upper Canada administration told them, it would "prevent, at a future day, these canting American scoundrels from obtaining a footing in the church". The new wording read, "for the sole use of the Established Presbyterian Church at Kingston in communion with the established sister church in Great Britain". After these cautious amendments had been made the deed was issued on January 30, 1818 and the foundation stone of St. Andrews was laid on July 20, 1820. The following year a minister from Scotland was appointed, the Reverend John Barclay.

It had been intended to use the land close to St. Andrews church as a burying ground. Unfortunately it proved to be too shallow. Hence, at the end of 1822 the Reverend Mr. Barclay claimed the right to bury Presbyterians in the Episcopal Burying Grounds. He argued that the two churches were equally privileged and established. On January 10, 1823 Stuart told Barclay that while Presbyterians had a conditional claim to the privilege of interment in the graveyard it was not a right. He added that they could be buried there provided the Anglican services were used. Some time before this, perhaps as early as 1821, the key of the Lower Burying Ground had been put into the hands of the sexton; and he was now given specific instructions about funeral procedure. He was told that in the case of funerals of non-members of the Church of England the Rector would not proceed to the house of the deceased unless specially requested to do so, but would meet the funeral procession at the gates of the graveyard.

Feeling between the denominations in Kingston was at this time growing in intensity. At a St. George's vestry meeting on Easter Monday, March 31, 1823 it was laid down that charitable relief should be given only to destitute members of the church and impoverished strangers; other paupers should be referred to the religious societies to which they belonged. Similarly the churchwardens were instructed to pay for the interment of poor members of the church and of strangers, but not for the funerals of members of other churches.

After the firm stand taken by Stuart on the question of Presbyterian burials, four men met to discuss the situation. They were the Archdeacon, the Reverend William Fraser, the Roman Catholic priest of St. Columbus church, the Reverend John Barclay, and Mr. John McLean, the Sheriff of the Midland District and an elder of

St. Andrews. They agreed to petition for an extension to the upper burying ground which was apparently to be made available to the Catholics while the portion of that cemetery which had been given by agreement to the Catholics was now to belong to the Presbyterians. This was a perfectly reasonable solution. But it was not put into effect. The extra land requested entrenched upon the Clergy's block "C" on the town plot of Kingston and since the disposal of the clergy reserves had become a hot political issue the government preferred to do nothing. It is rather absurd that the fact that the land had been set aside for religious purposes prevented it from being used as a cemetery when the most powerful denominations were able to agree upon its disposal for that purpose.

As a result of this stalemate the Presbyterians decided to press their claims for the use of existing burial grounds. They directed their attack upon the older, or Lower, cemetery. In the first recorded case, the burial of a Mr. John Mitchell, the Reverend George Okill Stuart was invited to the funeral and he read the burial service of his church at the graveside. On a subsequent occasion a child of Sheriff John McLean was to be buried. McLean invited the Archdeacon to the funeral but, as he stated afterwards, only "as a friend". Stuart, however, met the procession at the Lower Burial Ground gates, clad in his canonical robes. Mr. Barclay then requested him to step into a neighbouring house where he asked him if he intended to conduct the burial service. Upon being told that he did, Barclay replied that he would consent, provided the relatives of the deceased agreed. He then asked Sheriff McLean in the presence of the Archdeacon, whether he wished his child to be buried with the rites of the Church of England or of Scotland. The answer was that he wanted the service of his own church. Mr. Stuart persisted that none but the burial service of the episcopal church could be used in the episcopal burying ground, and so Mr. Barclay, "to avoid on such an occasion all appearance of a collision, . . . after accompanying the corpse a certain distance, withdrew and the service was performed by Mr. Stuart".

After this incident, Stuart sent Barclay a copy of the regulations formerly issued to the Sexton concerning the burials in the graveyard. On December 30, 1824 Mr. Barclay replied in writing that these regulations could only apply to Church of England funerals and were, as far as other funerals were concerned, "nugatory", because the burying grounds had never been formally made over to any church in particular. Stuart replied on January 3, 1825 that the regulations would be enforced and expressed regret that Barclay's letter did not conform with his former verbal acquiescence in the arrangements as laid down. Five weeks later, on February 7, Barclay told Stuart that he had reported the recent unfortunate collision, "in relation to the interment of the child of John McLean, in which you read the burial

service of your church", to the Attorney General who had suggested that the government should make arrangements for the disposal of the burying ground and that there ought to be a meeting between representatives of the two churches to arrange for the division of the land. Barclay therefore wanted to meet Stuart for this purpose in the court house. Stuart replied the next day to this letter by saying that he refused to divide up the burial ground and that a meeting could be no more useful than a previous one had been.

Now, since January 1, 1825 the Attorney General had been James Stuart, third son of the Reverend John, and brother of the Archdeacon. But it is nowhere made clear whether Barclay had communicated with James Stuart or with his predecessor, Mr. Uniacke.

On February 28 Archibald McLean, brother of John took the matter up. Archibald was a member of the Legislative Assembly for Cornwall and a future Chief Justice. He forwarded to Major Hillier, the Secretary to the Lieutenant Governor and Council, a copy of a petition from the Kingston Presbyterians. It is not clear whether this was a new petition for a separate cemetery of their own or merely that earlier point petition for an extension which had been submitted in 1823. Archibald McLean described the dispute over the corpse of his brother's child and said that he was "the more anxious for a decision on the subject, as our burial ground at Cornwall is precisely in the same situation as that at Kingston with this difference, that Mr. Mountain had not on any occasion interfered, though he may feel himself justified in doing so hereafter by the example of Mr. Archdeacon Stuart".

The Presbyterians were apparently determined to force the issue to a decision. On April 7 Mr. Barclay went to John Corbet, the Sexton of St. George's, and asked for the keys of the lower graveyard. He said that he wanted to select a site for a grave. The Sexton demurred, whereupon Mr. Barclay went for Sheriff McLean who was admitted to the cemetery and who indicated the place where the grave was to be dug. Mr. Barclay then instructed the Sexton to open the gates of the graveyard at four o'clock on the next afternoon to admit a funeral.

The minister next went to see Mr. William Chesnut, a blacksmith. He asked him to attend at the graveyard prepared with tools to force open the gates if they were locked. Chesnut said that he would not want to do such a thing. But Mr. Barclay then told him that he had a ruling from the Attorney General in his favour: and so the blacksmith said that, although he would not be involved personally, he would send a man with tools. One wonders whether Chesnut was impressed by the reference to the Attorney General and assumed,

rightly or wrongly as the case may be, that it was the Archdeacon's brother who had given the ruling.

Meanwhile the sexton had reported the matter to the Archdeacon who told him to go ahead and dig the grave, and to open the gate, and that he would himself be present. The next afternoon Stuart awaited the funeral procession at the burial ground gate dressed, as before, in cassock and surplice. After a little while the funeral procession appeared, coming down Grave Street (Queen Street). It was headed by the Minister of St. Andrews and by the Sheriff, John McLean. The corpse was attended by a large body of mourners, Episcopalians and Roman Catholics as well as Presbyterians. It is difficult not to believe that many had turned out to see the fun rather than out of respect for the dead.

Stuart later reported what happened next to the Vestry Committee. He said, "I met them at the grave where the Minister of St. Andrews assisted the bearer of the corpse in letting down the coffin into the grave and then directed the bearers to 'cover in'. The men immediately obeyed and threw in the earth. Amidst this indecent and profane procedure I commenced reading the Public Prayers of the Church of England in the Episcopal Burying Ground. The men, at the commencement of the prayers, were disposed to cease from their works when the Reverend John Barclay commended them to 'go on'. The work was performed in a violent and hurried manner and I finished the reading of the prayers".

Corbet, the Sexton, told a much more dramatic story. He said, "Mr. Stuart began reading the burial service, upon which Mr. Barclay took hold of one of the sticks which supported the body over the grave, drew it from under the coffin, and desired some persons, who seemed to be in attendance for the purpose (one of them being provided with a shovel), to lower the body and cover it up as quickly as possible. This was accordingly done, and with more haste than is usual upon such occasions, notwithstanding the Archdeacon was then reading the usual prayers". He said that, before the prayer was concluded, the grave was nearly filled up.

That evening Mr. Barclay left a note at Blacksmith Chesnut's shop. It read as follows: "The Revd. J. Barclay requests that Mr. Chesnut will send him his account for attendance today though his services were not required". I would like to know whether the account was rendered and the bill paid.

Immediately after this incident in the graveyard, the Archdeacon sent Mr. Barclay a letter in which he said that, as the Governor-in-Council had granted to St. Andrews Church land for use as a burial ground along with the site of the church, all further burials of Presbyterians in the episcopal burying grounds would be refused. Mr. Barclay replied on April 13 that he must insist upon his right

to be admitted to the Episcopal Burying Ground for any member of his congregation. He went on, "If government shall decide that the grounds shall be vested in Trustees for the use **henceforth** of the Episcopal Church exclusively, I will set the example of submission to its decision. But in the present state of the question, those who may use force to prevent my congregation from getting admittance to bury their dead according to the rules of their church must be responsible for all evil that may result from it. I much regret that such unpleasant competition should have arisen, but I may not shrink from that duty which has devolved upon me in my official capacity".

On April 9, the day following the clash in the churchyard, there was a special meeting of the St. George's Vestry. This meeting appears to have been arranged earlier to discuss matters concerning the building of the new church, the corner stone of which was laid on June 25. Although there was no reference in the minutes of this meeting on April 9 to the fracas which had taken place the day before, it appointed a committee to investigate the affairs. During the following week that committee took statements from witnesses; and it reported back to another special meeting of the Vestry on April 16. Testimony had been taken to support St. George's claim to control the graveyard. There were statements by old inhabitants; there were the records of the collection of fees by the Sexton; and there was the expense which the church had borne for maintenance. The Committee also took statements from witnesses of the clash in the Churchyard. These, however, consisted only of the not unbiassed testimony of the Rector and the Sexton. No evidence was obtained from any of the mourners, Episcopalian and otherwise, who had attended the funeral.

In its report the committee congratulated Stuart on his dignified and calm bearing "when any appearance of anger on his part, or any command to desist issuing from his mouth, would have been the signal for the commencement of tumult or confusion". One is left to wonder whether the Archdeacon really did succeed in reading the funeral service at his usual speed in such dramatic circumstances. The committee pointed out that there was very little space in the Lower Burial Ground which was not already reserved for those who had friends and relatives interred there. If St. Andrews were to make good its claim to equal privileges, other dissenters would claim equal rights also, and "the control of our minister may be set aside and the feelings of families be distressed by and interference with the remains of their departed relations". As for the Upper Burial Ground, after what had been allocated had been divided with the Roman Catholics, what was left would be too small if all Protestants in Kingston were to have the right to be interred there. The Vestry therefore determined to petition the government in Toronto for patents for the control of both episcopal burying grounds, upper and lower.

His Excellency the Lieutenant Governor referred the matter to the Executive Council, but gave temporary control to the Rector of St. George's with the condition that members of other churches should have the right to be interred "as heretofore" until a decision was reached. The Executive Council seems to have thought that the problem was too big for them to deal with, perhaps it was part of the much larger, and very inflammable question of the clergy reserves. There was actually some suggestion that the matter of the Kingston burying ground was to be referred to His Majesty's government in Great Britain. When the Minister of St. Andrew's heard this, he wrote at once to the Lieutenant Governor to ask what he was to do with the "mortal remains of the deceased members of (my) church until the pleasure of His Majesty's government . . . shall be made known from Great Britain". No doubt he was the more anxious since it was now early summer. He argued that the majority of the Protestants in Kingston were being excluded from the graveyards by the minority and asked "Must the other, and by far the larger party, be at the serious expense of purchasing land at a very high rate . . . until an answer shall come from Great Britain? Or may we each be advised without collision to inter their own dead in these grounds under a protest from the other party that nothing thus done in the meantime shall be construed into a decision of right on their part?" This sarcastic and somewhat ungrammatical but yet reasonable letter was apparently followed up shortly by one that was more realistic, namely a renewed petition for the grant of a burial ground for St. Andrews church.

At last the authorities in Toronto were induced to act. Between May 7 and May 14 a piece of land adjacent to the Upper Burying Ground was surveyed and granted to the Presbyterians. Henceforward the three distinct parts of that cemetery were known as the English, Scottish, and Irish cemeteries.

A word or two may be appropriate at this point about the further history of the cemeteries at Kingston. The cholera epidemic of 1832 and the typhus plague in 1847 severely taxed the existing accommodation in the graveyards. Indeed in the latter epidemic a large common grave was used to inter the remains of the miserable wretches who had brought the plague with them when they sought in the New World relief from their distress in the Old. This place is marked by a monument at the West end of the General Hospital. Between 1845 and 1847 St. Paul's church was built in the Lower Episcopal Burying Ground. If the graves then covered were marked in any way or if the bodies were removed elsewhere, the details have long been forgotten. A disastrous fire in 1854 which gutted St. Paul's church may have been responsible for destroying the memorials. The Cataragui Cemetery company was incorporated in 1850 and the present cemetery was opened. (A small Methodist or Quaker

yard had already existed at Waterloo for half a century). When the Upper Burying Ground was taken over for a park, the Catholics began to use the cemetery on Division street and moved some of their dead from the old "Irish" cemetery to the new place.

In 1863 a city by-law prohibited further interments within the city limits. It is of interest that one of the last persons to be buried in St. Paul's churchyard and one of the last in the city itself, was the Archdeacon Stuart who had fought so determined a fight to retain control of the Lower Burying Grounds. He was buried in the Stuart family enclosure which still exists. When Col. Long wrote his history of St. Paul's Church the tombstones of the Archdeacon and his wife were still to be seen. But they are not there now, and I can find no one who remembers anything about them.

A few points should be made about their unsavoury clashes in St. Paul's churchyard which, in our eyes, seems to have been a rather tragic profanation of the ceremonies connected with the burying of the dead. It will be noted that it was the result of interdenominational rivalry and embittered by the dispute about the clergy reserves. However, this picture of religious rivalry must be qualified by reference to some examples of a more christian harmony. As we have seen, in the early years of settlement all worshipped together. The first Church of St. George was lent to the Catholics for worship before they built their own church. The English Methodists received subscriptions for the building of their first chapel from Episcopians, including the Archdeacon himself, and also from an anonymous giver they referred to as a "papist". In 1828 an Act of the legislature made it legal for churches of various denominations to hold land through trustees. In 1831 the ministers of various other dissenting churches were allowed to perform the marriage service. In 1832 grants were made to Methodists and Free Church Presbyterians out of the clergy reserves. In 1845 the total amount distributed in Canada west was divided in this proportion: Church of England £8728.17.8; Presbyterians £7363.7.10 and Wesleyans £1666.13.2. In 1854, however, the policy of secularization, which some of the reformers had begun to advocate, triumphed.

It is clear that the collisions in the Kingston cemetery cannot be attributed merely to the unyielding temperament and intolerant outlook of Archdeacon Stuart even though I myself believe that he was a less broadminded and human man than his father. But he had a good case for the retention of the graveyard by the Church of St. George. It seems likely that the Presbyterians deliberately chose to try to force their way into the **Lower** Burying Ground in order to be provocative. That cemetery was then nearly full, it could be locked against them, the title of the Episcopians to it was hallowed by time if not by written deed, and they had spent large sums on its

maintenance. The Presbyterians probably tried to force the issue of the Lower burial ground because that would bring on a head-on collision and force the question to an issue more quickly than a dispute about the Upper ground. On the other hand, it is also true that they had better grounds for advancing their claims in the Lower ground since, as in other U.E.L. burying grounds, precedents existed for common use of the cemetery. And as the upper burial ground had been recently granted in response to a particular petition by a special group, they had a poor case to claim rights on it.

On behalf of Mr. Barclay, it must be said that several of his letters seem to suggest that he was being pushed from behind and that he felt it necessary to assert the rights of his church in order to justify himself in the eyes of his new flock. It is noticeable that Sheriff McLean turns up very frequently in the story. He appears to have been the real aggressor.

One last point remains. It would be interesting to know who was the unfortunate whose funeral service was thus deliberately desecrated. Was it another of the large number of infants who filled the churchyards in those days of high infant mortality? Or was it some wretched pauper who, in his death, achieved a distinction he had never possessed in life, a funeral that was attended by the whole town. On that point the records are silent.

DOCUMENTS

NOTE: It is the intention of the editor to include in *Historic Kingston*, from time to time, documents which relate to the history of the community.

I

KINGSTON MECHANICS' INSTITUTE

(From the British Whig, issue of Tuesday, March 11, 1834.)

On Friday evening a numerous and most highly respectable body of mechanics, interspersed with some few of the inhabitants of Kingston, assembled at McKay Tavern, to discuss the propriety of forming a Mechanics Institute. Some of the leading and old Mechanics of the town were not present, their absence being occasioned it is presumed from pique, in not being consulted previous to the calling of the meeting. The staying away was unkind; they should have recollected that it is now three years since a Mechanics Institute has been in full operation at York, during which time, ample opportunity has been afforded them to establish a similar institution in Kingston, and if they have not thought proper so to do, they should not blame their younger tradesmen if they step forward to do that, which more properly belonged to them. Another cause why they were not consulted is, that neither of the two originators of the meeting, Mr. D. Urquhart or Mr. C. Sewell, has much personal acquaintance among his fellow tradesmen, or we make no doubt, that every concession would have been made to the opinions and wishes of the elder tradesmen. As it is, we trust that petty jealousies of any kind will be avoided and that the whole corps of mechanicals will muster strongly at the Court House on Friday evening next to receive the report of the Constitutional Committee and to elect the office bearers of the Infant Society.

At a general meeting of the Mechanics and others friendly to the forming of a Mechanics Literary Institute, held pursuant to public notice, in McKay's Tavern, Kingston on Friday evening, the 7th of March, 1834, Mr. Charles Sewell was elected chairman and William Lesslie, secretary. The Chairman having explained the object of the meeting, it was —

- I. Proposed by Mr. James Bryant, seconded by Mr. Cone; —
That it is expedient to establish a Scientific and Literary Society to be called the Kingston Mechanics Institution.
- II. Proposed by Mr. D. Williamson, seconded by Mr. S. Harrison; —
That a committee of twelve persons be nominated to draft a set of regulations for the government of said institution and that they report thereon to the adjourned meeting.

- III. Proposed by Mr. John McLeod, seconded by Mr. Cone; —
That the said committee be instructed to inquire for an eligible room or place of meeting for the Institution and that they have power to receive names of persons wishing to become members and generally to do such other work as they may judge necessary for the welfare of the Institution.
- IV. The meeting elected the Committee of Twelve of the following persons:—Messrs. A. J. Fern, D. Urquhart, Francis M. Hill, Dr. Barker, William Lesslie, John Cullen, Charles Sewell, John Spence, John McLeod, Thomas Smith, John Butterworth and Simon Harrison.
- V. Proposed by Dr. Barker, seconded by Mr. Stewart; —
That this meeting do now adjourn till next Friday evening at the Court House at half past six o'clock to receive the report of the Committee.
- VI. Mr. John McLeod having taken the chair, the thanks of the meeting was given by acclamation to Mr. Sewell for his able conduct as Chairman.

II

THE KINGSTON HISTORICAL SOCIETY

(From the Minute Book of the Society)

Senate Room
Queen's College
Kingston, 27th Oct. 1893

A preliminary meeting of a few citizens interested in the formation of an Historical Society at the City of Kingston was held in the Senate Room, Queen's University, on Friday 27th Oct. 1893. Present, Very Rev. Dr. G. M. Grant, Very Rev. B. B. Smith; Rev. Dr. T. Griffith; R. M. Horsey, Esq., R. V. Rogers, Esq., G. M. Machar, Esq., Surgeon-Major Neilson; A. Shaw, Esq., Professors G. Ferguson and A. Shortt; Rev. Canon Spencer.

Very Rev. B. B. Smith was appointed chairman and R. V. Rogers, Esq., Secretary.

R. M. Horsey, Esq., submitted reasons why the Society should be formed when it was resolved to call a meeting of the citizens for Friday 10th November to be held in the City Council Chamber to take action as to the advisability of forming an Historical Society.

R. M. Horsey was requested to prepare a paper for such meeting on the nature and requirements of such a society for this district.

Professor G. Ferguson was also requested to prepare a paper on the early historical features clustering around this district.

Council Chamber
Kingston, 10th Nov. 1893

A meeting of citizens favourable to the formation of an Historical Society for this district was held in the Council Chamber City of Kingston, Friday, 10th November, 1893. Present — Rev. Canon A. Spencer, Chairman; and A. Shaw, Secretary; Messrs. Dr. R. T. Walkem; Dr. Neilson; R. Meek; A. McNeil; Dr. Herald; Prof. G. Ferguson; Prof. A. Shortt; H. Bawden; Wm. Powers; Col. Cotton; Very Rev. B. B. Smith; R. M. Horsey; R. S. Dobbs; J. McArthur; R. V. Rogers; W. S. Ellis; J. George; R. K. Row; Rev. S. Houston; D. Gibson; Jas. Cockrane; Ettinger; T. G. Shanks and others.

Prof. G. Ferguson gave an address on the early colonization of Canada and events surrounding the City and district, referred to Frontenac, La Salle and many other distinguished parties who occupied important trusts during the early days of this district.

Mr. R. M. Horsey addressed the meeting on reasons why such a society should be formed dwelling more on its later history with the places of honour held in the country by Kingston's illustrious sons.

Dr. R. T. Walkem referred to the formation of the society so that documents might be preserved which otherwise might be lost and which materially bear upon the history of our country — after which it was moved by Dr. R. T. Walkem, seconded by Mr. R. M. Horsey that an Historical Society be formed at this City — Carried.

Moved by Dr. Herald, seconded by A. Shaw that the following gentlemen be a committee to draft a constitution and report on Friday evening 24th inst. in this Council Chamber at a meeting to be called by advertisement for that purpose — carried. Dr. R. T. Walkem; Dr. Neilson; R. M. Horsey; R. V. Rogers; Dr. Herald; Very Rev. B. B. Smith; Wm. Powers; Prof. G. G. Ferguson and Prof. A. Shortt.

A. Shaw
Secretary.

(NOTE: A meeting was held in the Council Chamber on 4th November, 1893, and a constitution was adopted on the motion of Prof. A. Shortt. The following officers were then elected: President, Very Rev. B. B. Smith; 1st Vice President, Hon. M. Sullivan; 2nd Vice President, Rev. S. Houston; Corresponding Secretary, Prof. A. Shortt; Recording Secretary and Treasurer, A. Shaw; Members of Council, R. T. Walkem; Surgeon-Major Neilson; Rev. Canon A. Spencer; Prof. G. Ferguson and R. M. Horsey. The minutes then continued —)

Moved by Surgeon-Major Neilson, seconded by Prof. G. Ferguson, supported by Dr. R. T. Walkem and Prof. A. Shortt and resolved, That the Historical Society of Kingston has learned with sentiments of very deep regret of the death of Francis Parkman

whose magic pen and indomitable industry produced a series of most fascinating volumes depicting the early history of our country. That the sympathy of this Society be tendered to the family of this great historian and sincere friend of Canada. And that a copy of this resolution be communicated to the family of the deceased.

Moved by R. M. Horsey, seconded by Rev. Canon A. Spencer, that Prof. A. Shortt be requested to read the first paper for the society at the regular meeting in January, 1894. Carried. Prof. Shortt consented to deliver an address at the time mentioned, subject "Condition of Europe in last half of sixteenth century during the discovery of Canada."

Moved by Dr. R. T. Walkem, seconded by Mr. R. M. Horsey that the next meeting of the society be held in the Council Chamber. Carried.

All present being eligible for membership the following gentlemen registered their names and paid their fees and became members of the Kingston Historical Society, viz. Mr. R. M. Horsey; Surgeon-Major Neilson; Rev. Canon A. Spencer; Neil McNeil; Prof. G. Ferguson; Prof. A. Shortt; James McArthur; Wm. Powers; W. G. Ellis; Very Rev. Dean Smith; Mr. Wm. Neish.

Membership fees received \$11.00.

No other business being before the society, it was declared adjourned.

Buxton B. Smith
President.

A. Shaw
Secretary.

III

JOHN BALMER IN KINGSTON

(From John Balmer's manuscript autobiography. Reproduced by permission of his granddaughter, Mrs. O. O. Worden, and Mr. H. P. Goudy, Librarian, Queen's University).

NOTE: John Balmer was born in Hillsborough, County Down, Ireland, March 8th, 1819. After enlisting in the British Army in 1839, he served in the Mediterranean area, Greece, Corfu and Gibraltar. In 1845 he was transferred to Jamaica and in 1848 to Halifax, Nova Scotia. In April, 1850, Balmer volunteered for the Royal Canadian Rifles. He then moved to St. John's, Canada East, where he married Margaret Ann Carey in July, 1851. Their first son, William John, was born here in 1852. In 1853 Balmer was transferred to Kingston, Canada West. He described his life here as follows:—

"In the summer of 1853 we moved from St. John's here to the 'Lime Stone City'. On September 2nd of this year, our second son, Robert Henry, was born in Fort Henry."

"On June 7th, 1855, our third son was born. We intended to call him Francis Stewart; but before he was christen^d his brother

William John, died, so he got his deceased brother's name 'William John'."

"He was baptized a few months after by the celebrated Reverend Dr. Douglas. Robert H. was baptized by Reverend Father Dowse. I must not forget that in '54 we were visited at Kingston with a severe grip of Cholera (Asiatic). A large number died. They were attacked with cramps and black vomit! Each man sick had two men rubbing him to help ease the cramps. When one died he was ordered by the Doctor immediately to be buried; if married his wife was not allow^d to see him. I knew several married men who went on guard duty in the morning in good health and took sick, died and were buried — **the wives never seeing them!** How sad! When the disease was kill^d by strong medicine the man too was all but kill^d. The patients had to be kept from sleeping for some time lest if allowed to fall asleep they might never awake. I took sick myself and knowing what was the matter I walked straight to the Hosp^l and was put to bed. The Doctor sent me a dose by the steward who said 'Take this it will cure or kill you!' I drank it and within an hour I felt it warm me from head to feet and in another hour I was well, got up and was allow^d to go home all right. I had neither cramps nor 'Black Vomit'. I was not afraid. Fear helps to make people sick."

"In 1856 I was appointed commander of a Boat Party at Cedar Island, a very short distance from Fort Henry. Our duty was to arrest any soldier attempting to desert. Katie was born on this Island, 6th Jan^y, 1857. This was a very mild winter. The duty of the Boat party at night was to "patrol" **over** the ice on the Bay, but one night we were near patrolling under the ice — it broke letting some of the men in the water. They scrambl^d out on the ice again and I took them home and bidding farewell to ice patrol for the remainder of the winter, we walked about on Terra Firma. I had a good time nursing my new-born and only daughter, Katie. She was baptized by Reverend Dr. Douglas. Her voice was not so musical then as it is now. I don't mean to say she was cross, not at all. She was a sweet, good child."

"One night during the summer of '56 a great sight appeared on the Lake south of the Island. It was a **steamer on fire!** coming with the current, burning to the water's edge and grounded on the south end of the Island. The Captⁿ and crew all had taken to the Boats and escaped, no lives lost. The owners or insurance agents appeared soon and took away all that was worth taking."

"I forgot to mention a great and glorious time we had here in Kingston celebrating the 'Fall of Sebastopol' in 1855, shortly after William John's birth. The city was illuminated! and a Splendid

display of Fire Works at night. A complete uproar of joy took hold of all classes of the community. The Brigade Major call^d 'Town Major', gave the 'Time' (with the cock^d hat in hand) for the cheering! He was about the size and shape of Ald. Baxter. He swung round the cock^d hat and Hip! Hip! Hip! Horrah peeled forth, followed by the whole City! The Major shouted **come!** Let them hear you at Cape Vincent! Hip! Hip! Hip! Horrah! "

"In all military rejoicing there is another side to the Question. There were many lives lost and many sad widows and orphans made to mourn the loss of Husband and Father! Our own joy was not unmingled with sorrow at the then apparent loss of our dear first born Son. He was not for God took him."

"We had had William John for a walk on a beautiful afternoon. He took suddenly ill and had to be got home. He was sick at the stomach and brain affected. Doctor said it was 'Sun Stroke' and ordered his beautiful hair to be cut. His mother would not disfigure his beautiful curls. He kept raving in mind and finally fell into 'convulsions' and was insensible two or three days with frequent fits and finally pass^d away (home) with little suffering."

"At this time the Grand Trunk Ry. along as far west as Kingston and on towards Toronto and Hamilton was being built. There was great business on the Lakes before the Grand Trunk and other Railways came in use."

NOTE: In 1857 there was a call for volunteers for Fort Garry and Balmer made the journey to the west, where he remained until 1861 when he returned to St. John's, Canada East. In 1864, his time having expired, Balmer took his discharge and went to Hamilton, moving in 1870 to Toronto where he was appointed superintendent of the "Toronto Necropolis". He died in Oshawa.

KINGSTON HISTORICAL SOCIETY

1955-56



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